

上海會審公廨審理

五卅六一慘案紀錄

The Nanking Road Tragedy

Verbatim Report of the Trial of Persons
Arrested in Connection with the Affairs of
May 30 and June 1, 1925, at the Interna-
tional Mixed Court, Shanghai.

With Notes in Chinese

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CEUNG HWA BOOK Co., LTD.
SHANGHAI

The Nanking Road Tragedy¹

Verbatim Report² of the Trial of the Chinese Arrested in
Connection with the Tragedy of May 30, 1925, at the
International Mixed Court,³ Shanghai,
on June 2, 3, 9, 10, and 11.

**Extract from Mixed Court Register⁴ for
Tuesday, June 9, 1925.**

First Hearing⁵—Tuesday, June 2, 1925

Accused⁶

*Yang Sz Zung (楊思盛)	<i>Student Aged</i>	18
Or Kyi Bing (安劍平)	" "	23
Sung Zau Kyi (陳兆祖?)	" "	21
Lee Kwaung Kyi (李光撰)	" "	23
Wong Kwok Chung (王國鈞)	" "	22
Yih Ching Ying (葉文英?)	" "	19
*Wong Tsz Ching (黃儒京)	" "	22
*Cha Ong Li (蔡鴻立)	" "	24
Yih Kwah Ts (安開子?)	" "	23
*Tsang Yui Ming (張以民)	" "	18
Lee Pah (李白)	" "	23
Lee Pah Kwaung (李伯光)	" "	21
Woo Yoh Ming (符育英?)	" "	23

¹ 五月卅日南京路慘劇 (tragedy 音 trǎ/jě-dǐ). ² 詳細的報告, 供詞 (verbatim 音 vēr-bā'tim). ³ 公共租界會審公廨. ⁴ 會審公廨紀錄摘要 (extract 音 eks/trǎkt). ⁵ 第一堂, 第一次審訊. ⁶ 被告人 (按六月三日新聞報記載, 被告人尙有, 李一鶴, 尹敦哲等二名).

(*) Denotes those who appeared in Court. Remainder forfeited bail.
(姓名前有 * 符號者, 係到庭受審之人, 餘均不到, 將保銀充公).

Accused

	<i>Student Aged</i>	
Lee Sz Kaung (林樹江?)	23	
*Tsu Auh Ming (朱鶴鳴)	18	" "
Yih Vien Ming (葉維民)	22	" "
Tseu Vung Zai (周文財)	20	" "
Tsu Yung Sung (朱元生?)	24	" "
Tsang Sz Tah (張書德)	23	" "
Sung Yih (孫易)	24	" "
*Liang Yoeh Woo (梁郁華)	21	" "
Sung Sih Loong (鄭則龍?)	21	" "
Tsang Shing Dzang (張鑫長)	25	" "
Tseu Ching Zai (周清水?)	21	" "
Tseu Hyang (周尙)	24	" "
Lee Dah (李談)	21	" "
Oo Tsz Woo (吳世華)	18	" "
Ling Khe Tsz	21	" "
Yang Pau Yih (楊邦彥)	21	" "
Sung Dzang Ching (陳長卿)	21	" "
Yang Sung Ching (楊成景)	23	" "
Ong Ping Yue (杭本裕)	20	" "
*Kau Zau Zung (高道純?)	22	" "
Sung Cha Ying (沈啟英)	23	" "
Yang Ling Hoo (楊廷煊)	19	" "
Bang Hvih (彭吉)	21	" "
Woo Yoong Fong (胡榮豐)	22	" "
Sung Ching Kwang (陳觀光即王宇春)	24	" "
Sung Er Liang (陳安良)	17	" "
*Sung Pau (陳豹)	22	" "

Accused

*Sung Kwung Saung (陳光章)	<i>Student</i>	<i>Aged</i>	19
Er Koh Foo (韓兆圖)	"	"	27
Lee Yue Tsong (李宇超?)	"	"	23
*Chu Ching Pah (瞿景白)	"	"	20
*Zung Yoong Chu (陳韻秋)	<i>Actor</i>		21
*Yue Mai Vai (俞茂萬)	<i>Brass Smith</i>		22
*Wei Ching Ding (魏春廷)	<i>Boatman</i>		27

Charge¹

*Riot.*²—Contrary to Article 164 and 165 of the C. P. C. Code.³

For that they did, on the 30th May, 1925, knowingly continue in an assembly of persons⁴ who

¹ 控告理由, 罪狀. ² 暴動 (音 rí'üt). ³ 中華民國暫行新刑律第 164, 165 條 (C. P. C. Code=Chinese Provisional Criminal Code). The Articles in question read:

第一百六十四條 聚衆意圖爲強暴脅迫, 已受該管官員解散之命令, 仍不解散者, 處四等以下有期徒刑 (三年未滿一年以上) 拘役或三百元以下罰金, 附和隨行, 僅止助勢者, 處拘役 (二月未滿一月以上), 或五十元以下罰金 (Art. 164 provides for the punishment of rioters, who refuse to disperse after being commanded by competent authorities, by imprisonment in the fourth degree (1-3 years) and hard labour. Accessories to the crime are punishable by imprisonment for not more than two months and hard labour or fine not more than \$50.)

第一百六十五條 聚衆爲強暴脅迫者, 依左例處斷: (一) 首魁, 無期徒刑或二等以上有期徒刑 (十年以上) (二) 執重要事務者, 一等至三等有期徒刑, 或一千元以下一百元以上罰金 (三) 附和隨行, 僅止助勢者, 四等以下有期徒刑拘役, 或三百元以下罰金. (Art. 165 provides for the punishment of rioters as follows: (1) leaders—life imprisonment or imprisonment of the second degree (not less than 10 years) (2) those taking an active part in the riot—third to first degree imprisonment (not less than 3 years) or fine \$100-\$1000. (3) accessories—fourth degree imprisonment (1-3 years) or fine not less than \$300). ⁴ 聚集羣衆.

had come together with intent to commit violence¹ after such assembly had been commanded by the competent authorities to disperse.²

Furthur:—For that they were on the 30th May, 1925, concerned together with others not in custody³ in publishing written documents tending to cause a breach of the peace and good order,⁴ contrary to Article 16 of the Publication Laws,⁵ promulgated⁶ on the 4th day of the 12th moon of the 3rd year of the Republic of China.⁷

(Extract from Mixed Court Register⁸ for Tuesday, June 9, 1925, Station Louza.⁹ Assessor Jacobs.¹⁰ Magistrate Kwan.¹¹)

Proceedings¹²

Mr. E. T. Maitland appeared for the prosecution.¹³

Dr. Fischer appeared on behalf of the Commissioner of Foreign Affairs.¹⁴

Mr. Ho Fei¹⁵ appeared for five of the accused and on Tuesday afternoon Dr. H. C. Mei¹⁶ appeared for the remainder of the accused.

¹ 意圖暴動 (violence 音 yī'tō-lens). ² 經該管官員命令解散 (competent 音 kōm'pē-tent, authorities 音 a-thor'i-ties). ³ 未曾拘捕之人 (音 kūs'tōdy). ⁴ 發行擾亂治安及良好秩序之文字 (document 音 dōk'ū-ment). ⁵ 違犯出版法第十六條 (可處著作人發行人以十五元至一百五十元之罰金)—This article provides for the punishment of the author or publisher by a fine of \$15-\$150). ⁶ 公布 (音 prō-mūlgated). ⁷ 中華民國三年十二月四日. ⁸ 會審公廨紀錄摘要. ⁹ 老開捕房 (在上海南京路). ¹⁰ 美副領事雅克博. ¹¹ 正會審官關綱之. ¹² 訴訟手續. ¹³ 原告 (即上海工部局 音 prōs'ē-kū'shun). ¹⁴ 江蘇交涉員代表律師斐斯. ¹⁵ 何飛律師. ¹⁶ 梅華銓律師.

An application by Dr. Fischer for a remand¹ was refused by the Court.

Mr. Maitland, opening the case, said:—There are going to be a number of cases before the Court to-day on various charges.² They all arise out of the same trouble, namely, the riots on Saturday, May 30, and Monday, June 1. I propose to put as full evidence³ as possible before the Court of all the circumstances that occurred.⁴ I propose to show the Court that, although we are told, these riots are anti-foreign,⁵—yet, on the surface, there is no doubt that they were anti-foreign, and the Japanese mill trouble⁶ was the peg on which to hang the excuse⁷—but I am going further than that. I am going to prove that the students—we call them students, although a better word would be school-boys⁸—that the students or schoolboys who started this trouble all came from a Bolshevik University⁹—the Shanghai University of Seymour Road.¹⁰ I am going to produce evidence¹¹ to the Court, and show the Court that this case, on the surface anti-foreign and anti-Japanese, is, in fact, pure Bolshevism and nothing less. I shall prove that to the Court conclusively.¹² I shall produce to the Court

¹ 要求展期再訊 (音 rēmand'). ² 罪狀, 控告之案情. ³ 證據. ⁴ 當時之情形 (circumstance 音 sēr'kūm-stānce). ⁵ 排外. ⁶ 日紗廠案 (即顧正紅慘斃事). ⁷ 藉口. ⁸ students 大約指年齡較長之學生, school-boys 則指年齡較幼之學童. ⁹ 過激大學 (Bolshevik 音 Ból'shě-vēk'). ¹⁰ 西摩路上海大學 (Seymour 音 sē'mōr). ¹¹ (音 ēv'i-dens). ¹² 不容疑惑 conclusively (音 kōn-klū'siv-ly).

the history of this University as we have it. I shall produce to the Court documents which we have seized in the last few days at the University, when it was occupied during this trouble. Among the documents, the Court will have a letter from Germany, a definite Bolshevik letter. I think the Court will agree that you can get no better material than ignorant schoolboys, such as these people are, to run wild;¹ no better material to use as tools for Bolshevism. They are ignorant and conceited.² They think they are big men and there is no better material than that for the cunning Bolsheviks to use to create discord³ in this unfortunate country. I propose to produce evidence to show that the Police in these riots acted with the greatest leniency⁴ and the greatest reluctance to fire,⁵ and the only reason for the firing, was because it was impossible for any human being to do otherwise and keep order in the Settlement. There are certain lies being circulated in the Settlement that people were shot in the back. I am calling medical evidence⁶ to prove exactly where everybody was shot.

The first case we have to deal with is the riot on Saturday. You will hear that there was a crowd of something like 2,000 people on the road, and hardly a handful of foreigners to keep them back. I think no one in this world can say that a few

¹ 發狂。 ² 驕傲。 ³ 搗亂。 ⁴ 忍耐。 ⁵ 不願開鎗。 ⁶ 醫士之證言。

foreigners, five or six foreigners whatever they were, against a raging mob,¹ shouting, "Kill the foreigner," and surging on the Police Station,² no one can say the Police were wrong to fire. One has to consider in these cases, not only the loss of life when the Police might fire, but what would have happened if they had not fired. The first thing which obviously would have happened, would be that Louza Station would have been taken by the students and the mob. I won't say by the students, but by the students and the mob. We all know from the experience of years that when these riots occur in any country in the world—I do not care where it is, it is the hooligan element³ which takes advantage of the rioting to do a bit of looting⁴ and anything else bad they can do. I do not suggest that the whole mob were students at all. Of course they were not, but you had the hooligans and the armed robbers⁵ and anybody else who can all help to cause a disturbance and who always come out when there is any chance of looting. The Court must realise perfectly well that if Louza Station had been in the hands of the mob, the whole of Nanking Road would have been looted. The Court is perfectly well aware⁶ of what happens up-country⁷ to the civilian population⁸ at the hands of the soldiers

¹ 狂怒之羣衆。 ² 欲衝進捕房。 ³ 無賴者，流氓 hooligan 音 hōo'li-gǎn.

⁴ 乘勢搶劫。 ⁵ 盜匪。 ⁶ 知曉。 ⁷ 內地。 ⁸ 平民 civilian 音 sǐ-vil'yǎn.

—how many hundreds of soldiers have been brought before this Court with their loot still on them, looted from the civil populace¹ up-country. If people calling themselves soldiers are to do that, what is a simple mob going to do—that and worse. I should like, first of all, to call a doctor who will give evidence as to how the men were killed and then he may go.

Evidence of Dr. H. C. Chen²

Question—What is your full name?

Answer—H. C. Chen.

Q—I think you are a medical doctor.

A—Yes.

Q—What are your qualifications?

A—M.D.³

Q—And you are at the Police Hospital in Range Road?

A—No, Woosung Road.

Q—I think you saw the corpses⁴ of the persons who were shot and died on the Saturday and Monday.

A—I saw four corpses.

Q—Can you tell us where **they** were shot?

A—I saw them on the 31st, in the Mortuary,⁵ in the morning about 9 o'clock. One of them was

¹ 居民. ² 陳錫卿(工部局僱員,在工部局醫院爲醫生). ³ = Doctor of Medicine 醫學博士. ⁴ 尸體(音 kôrpse). ⁵ 驗尸所音 mór'tŭ-à-rĭ.

about 18 years of age. He had two elliptical wounds¹ with uneven edges. One of them was situated in the left intra-scapular region.²

Q—What is that in simple language?

A—Below the scapula on the left side.

Q—If anybody was turning round to encourage a mob³ to come on like this (demonstrated), would it be possible to be hit there?

A—Yes. The other wound was about half an inch external to the left sternal clavicular junction⁴ in front.

Q—Now, take the next one you saw. Where was he wounded?

Assessor:—Have you the names of the wounded?

A—No. The next one I saw was about 20 years of age, with only one elliptical wound in front, just over the sternum,⁵ at the level of the second rib.⁶ The size of the wound was $1\frac{1}{4}'' \times \frac{2}{3}''$.

Q—It was in the chest?

A—Yes, the sternum was fractured.⁷

Q—You saw two more?

A—Yes.

Q—Where were they wounded?

A—In the third case, the wound of entrance, roughly, was on the right side in the 6th inter-costal

¹ 長圓形之傷口 (elliptical 音 ěl-líp/tǐ-kal). ² 左圓胛骨. ³ 煽動羣衆.

⁴ 左邊胸骨與鎖骨銜接處 clavicular 音 klá-vík/ü-lár. ⁵ 胸骨 音 stár/nūm.

⁶ 肋骨. ⁷ 破裂.

space,¹ by the anterior axillary line.² The exit wound was over the left clavicle.³

Q—That is from right to left?

A—Yes.

Q—That would be consistent⁴ with being hit side-ways, consistent with a man turning round to say 'Come along?'

A—Yes.

Q—Now, about the fourth one.

A—This one was about 53 years of age. The bullet⁵ entered by the neck, and had bent downwards a little, and came out of the front of the neck, just over the shoulder.

Q—Those were the only four you saw?

A—Yes, on the Sunday. I saw another three later on.

Q—What did you see later on?

A—On Saturday [?] I saw three bodies in the Mortuary. One was about 35 years of age. He had a small circular wound⁶ in the right deltoid region⁷ over the shoulder. The wound was about half an inch in diameter⁸ with its direction towards the chest.⁹ The bullet had not come out and was probably buried in the chest. One was from Pootoo

¹ 肋間。 ² 身體前面之平分直線 (醫學專名) anterior axillary 音 ǎn-tē'ri-ēr ǎk'sī-lā-rī. ³ 鎖骨 (音 klǎv/i-kl). ⁴ 足以證明..... ⁵ 鉛彈。 ⁶ 圓形傷口。 ⁷ 肩下 (三角形處) deltoid 音 dēl'toid. ⁸ 對徑。 ⁹ 胸。

Road Station, and another one from Yangtszepoo Station.

In the second case, the man was about 40 years of age, and had two small circular wounds about 4-10ths of an inch in diameter. One of the wounds was below the third rib, about 1" external to the sternal border¹—that would be about the middle of the chest. The second wound was in the left intra-scapula region² in the back below the shoulder blade.³

Assessor:—Could you say which was the wound of entry⁴ and which the wound of exit?⁵

A—It was possibly done by one bullet, but it is very difficult to say which was the front and which the back, because the bullet was of very small size, and probably had a fairly high velocity⁶ and the parts which are struck are soft. The next one was from Sinza Station—a man about 40 years of age. He had one lacerated wound⁷ with a perforating aperture⁸ in the left orbital region.⁹ The whole skull was fractured¹⁰ and at the back of the head, in the occipital region,¹¹ there was a small elliptical wound. In my opinion, the bullet entered by the back of the head and came out in front below the eye.

¹ 胸部. ² 肩胛. ³ 肩胛骨. ⁴ 入口. ⁵ 出口. ⁶ 速率. ⁷ 碎裂之傷口.
⁸ 洞穿. ⁹ 頭骨. ¹⁰ 腦殼碎裂. ¹¹ 後頭骨.

Q—Would it be possible for it to enter by the eye and come out at the back of the head?

A—The wound of exit is generally bigger and the eye-wound here is bigger.

Mr. Maitland:—Yes, but the eye is a much softer place for the bullet to come out than close to the bone.

Q—When was it you saw this body?

A—That was probably on the second morning but I have not got the date.

Q—Do you know where he was found?

A—No.

Q—You cannot say whether he was found in the New World or not?

A—No.

Q—Did you see any more?

A—No.

Q—Do you know who saw the other bodies.

A—We do not generally see bodies of men who have died in hospital. The hospital doctor usually gives a certificate¹ for them.

Cross examined² by Mr. Ho Fei:—

Q—Where were you graduated?

A—St. John's College.

Q—You saw seven of the dead, is that all?

A—Yes.

¹ 證書. ² 詰問.

Q—With regard to the sixth person, you have referred to, according to your report, he received two shots, one from the front and one from the back.

A—That is very difficult to say. We did not make a post-mortem examination¹ and it is very difficult to say.

Mr. Ho Fei:—According to the doctor's statement, that means he is not qualified to testify in this case.²

Mr. Maitland:—I object to this question. It is a ridiculous question.³ He is a doctor of medicine.

Mr. Ho Fei:—As the doctor himself says he did not make a post-mortem examination, therefore his testimony⁴ is not enough.

Assessor—Ask Mr. Ho Fei if his defence⁵ is the same as the other day, that two of his clients⁶ were actors in the crowd at the time.

Mr. Ho Fei:—Yes. At present I am asking the witness about those two shots, one from the front and one from the back. Does the doctor know which one was shot first?

Assessor:—The doctor has told you already. He does not know.

¹ 驗屍 post-mortem 音 pōst'-mōr'tēm. ² 不配作本案的見證. ³ 可笑的問題 (ridiculous 音 rī-dīk'ū-lūs). ⁴ 証言. ⁵ 辯護. ⁶ 當事人, 委託辯護者

Witness:—I said there were two wounds on the body. I did not say there were two bullets through the body.

In answer to the Assessor, Mr. Maitland said he was endeavouring to get further medical evidence.

Evidence of Mr. H. P. King

Q—What is your full name?

A—Herbert Percy King.

Q—You are a British subject?

A—Yes.

Q—And you have an office at 41 Szechuen Road.

A—Yes.

Q—What is your business?

A—I am representing a group of British manufacturers.¹

Q—Have you any connection with the Police in any way?

A—None whatever.

Q—Not even a Special Constable?²

A—In the French Concession.³

Q—Not in the International Settlement?⁴

A—No.

¹ 代表英國製造廠多家。 ² 特別巡捕 (由商人充當)。 ³ 在法界充特別巡捕。 ⁴ 公共租界。

Q—Were you in Nanking Road on Saturday, May 30?

A—Yes.

Q—What time was that?

A—About 3.30.

Q—What were you doing?

A—I had been down town and was coming from east to west in a motor car.

Q—Did you notice anything happen?

A—Just before I got to Chekiang Road, I saw the crowd seemed to be rather strange and excited.¹

Q—Just tell us what you saw.

A—At Chekiang Road corner the road was strewn with leaflets,² and crowds were pouring in³ from the north side of Chekiang Road to Nanking Road; then I heard a lot of shouting, and, looking up, I saw crowds standing near the Town Hall⁴ waving banners.⁵

Q—This kind of banner (produced)?

A—Yes, something like that. The crowd was very dense⁶ from, say, the new Sing-Sing building westward, and the road was blocked⁷ just before we got to the Dong Chong cycle firm, just east of Louza Station. The crowd was there being held

¹ 羣情憤激。 ² 傳單 (音 lēf'let)。 ³ 擁進。 ⁴ 市政廳。 ⁵ 搖旗幟。 ⁶ 稠密。 ⁷ 阻塞。

back by a few Sikh policemen.¹ I do not think there were half a dozen—I think there were three or four.

Q—You do not think half a dozen?

A—No, I do not think so. The crowd there was very excited, waving their fists,² and one youth in particular was attempting to assault³ a Sikh policeman, raining blows at him with his fists.⁴

Q—Can you give us a rough estimate of the number of the crowd?⁵

A.—Several hundred I should say, but it was being constantly swelled⁶ by the people from the Chekiang Road—it increased all the time.

Q—What was the next thing?

A—Just at Tai Chong's my car was stopped with several others owing to the density of the traffic in the roadway,⁷ and I saw distinctly what was happening for several minutes. I particularly noticed attempts to assault one particular Sikh policeman, who had his rifle⁸ hung on his back.

Q—Was he trying to use his rifle?

A—No, it was hung on his back. He was trying to fend off⁹ this particular student, who was raining blows at him, and got him by the arms this way (demonstrated) and gently pushed him back.

¹ 印度巡捕 Sikh 音 sēk. ² 揮拳. ³ 毆打. ⁴ 拳如雨下. ⁵ 羣衆人數有若干. ⁶ 加增. ⁷ 路中車輛擠擁. ⁸ 鎗. ⁹ 阻住.

Q—What happened then?

A—Just then the crowd had swollen so much from behind that it came round towards the back of the policeman. Just then the traffic was given instructions to move on, and we moved. The attitude of the crowd was so menacing¹ that when I got home I said to my wife and some friends who were there that I expected there would be rioting² on the Nanking Road.

Q—As regards the Police attitude towards the crowd, from what you saw were they reasonable³ or harsh?⁴

A—They were very reasonable, I thought. I forgot to say that at the Louza Station gate I saw several Sikh policemen and two foreigners—I am not quite certain about the two foreigners—and several Chinese at the back, but they were just standing at ease,⁵ not taking any menacing attitude.

Q—Was the crowd getting near the Station?

A—The Dong Chong shop was next to the Station.

Q—They were practically at the Station?

A—Yes.

¹ 危險 (音 mēn'ā-cing). ² 暴動. ³ 和平. ⁴ 兇橫. ⁵ 隨便站立 (非作攻擊狀).

Q—Did you see any firing?

A—No, I was not there then.

Q—Can you tell us what time that was about?

A—About 3.30.

Q—You did not see anything later?

A—About half an hour later I had a telephone message from a friend that he could not come to tea and that the Volunteers had been called out.

Q—Would it be reasonable to suppose that it would be very much worse a few minutes after you left?

A—Yes.

Questioned by the Magistrate¹:—

Can you identify² any of the defendants³ here?

A—No, the crowd was too large.

Q—You cannot identify even one of them?

A—No.

Q—In what way were the Police very reasonable towards the crowd?

A—They were not using force, simply holding them back.

Q—What time was that?

A—About 3.30.

¹ 會審官 (音 mǎi'is-trāt), ² 辨認 (音 i-dēn'ti-fi), ³ 被告 (音 dè-fēdn'ant).

Evidence of Mr. H. Westnidge

Q—What is your full name?

A—Harry Westnidge.

Q—What is your profession?¹

A—I am a missionary.²

Q—Your Society is?

A—China Inland Mission.³

Q—I believe you were in Nanking Road on the occasion of the riot?

A—Yes, unfortunately, I happened to be in a No. 1 car that was coming up Nanking Road from the Bund.⁴

Q—On which day was this?

A—The Saturday of the shooting.

Q—Will you just tell us what you saw?

A—Just before we got to Chekiang Road where the car stops, we could see large crowds gathering from Wing On's up.⁵ There was considerable shouting⁶ and from each shop numbers were coming out to "look-see" what was going on. I suppose curiosity⁷ caused me to stand up in the doorway of the tram. I noticed some men running around with banners and right in front of us at that time the tram lines⁸ were free. The car before us passed

¹ 職業. ² 教士 (音 mīsh'ŭn-ā-rī). ³ 中國內地會. ⁴ 外灘. ⁵ 永安公司以西. ⁶ 人聲喧雜. ⁷ 好奇心 (音 kŭ-rī-ōs'ī-ā). ⁸ 電車路軌.

right through. We passed from Chekiang Road crossing and went forward as far as Wing On's when there was more shouting around the Town Hall—my chief attention was on the Town Hall side. ' .

Q—Did you hear what the shouting was?

A—No, not to understand. I only understand Anhwei dialect.¹ I noticed several police. I did not look on the opposite side, but on the Town Hall side there were several police and a foreign policeman. I did not recognise any of them. They were just keeping the crowd back and the crowd at that time seemed to be standing back. It would appear that several were speaking around the Town Hall because after some cheering² the crowd seemed to emerge³ out of the road against Wing On's and a number of men brought out packets of leaflets⁴ near Sincere's and distributed⁵ them to people passing to and fro and also distributed them to us in the car. Just after that the crowd, after the cheer, seemed to gather from all sides and come in between our car and the police who were about 50 or 70 yards in front of us at that time.

Q—How many police could you see there?

A—I think two Sikh⁶ and one foreign policeman. There may have been two others but I could

¹ 安徽土語 (音 dī'ā-lēkt). ² 呼喊聲. ³ 出來. ⁴ 傳單數包. ⁵ 散發.
⁶ 印度巡捕.

not see for the density of the crowd.¹ When the crowd went forward our car advanced slowly up the street with the crowd and some of the students appealed to the car to stop² and it immediately stopped, just as it approached³ the Town Hall. When the crowd pressed around the police, the police could see that they were far too few. In fact, there was considerable arm-raising. I could not see any being struck but among the crowd were several with flags and little sticks who were striking, and others with their fists. I watched the action of the police but I was a little too far away to see what they were using. When the police saw that they were overpowered,⁴ I noticed the Sikhs draw their batons⁵ and a foreign policeman had a cane.⁶ I did not know whether they were armed⁷ or not. They certainly did not have them in their hands at the time. There had been a tram coming from Jessfield way and that also had been appealed to to stop, as far as I remember, just this side of Louza.

Q—The East side?

A—Yes, I watched the Sikhs, how they tried to protect the foreign inspector.⁸ I think it was an inspector but could not see. They were trying to parry the blows⁹ and just retired¹⁰ step by step until

¹ 因人多看不清楚。 ² 勸電車停駛。 ³ 到達。 ⁴ 無力彈壓。 ⁵ 木棍 (音 *bá/tón'*)。 ⁶ 手杖。 ⁷ 武裝。 ⁸ 西捕頭。 ⁹ 擋住羣衆之毆打。 ¹⁰ 退縮。

they got on the side of the tram from Jessfield. When the police retired the crowd seemed to gather more courage and pressed,¹ with a lot of shouting, on all sides, especially from the men on coming from the side roads who came into full view. When the police reached the tram they were able to make a more hurried retirement to the Louza Station by the side of the tram. That made it possible for the crowd which was gathering, when it saw the police retiring, to get into a run. Running round to the back of the tram, and the police retiring by the side of the tram, made the crowd hurry up and from the end of the tram they were able to cut across the road² into the Louza opening. Then as soon as they arrived they seemed to rush from all sides for the door of Louza Station. Before one could realize what was going on—I naturally feared what would happen—there were shots.

Q—Is that when they were trying to rush the station?

A—As far as I could see all the police were inside the gateway³ and I did not see them until they seemed to swing out⁴ in a kind of "V" shape to meet the throng⁵ and immediately after the shots were fired the crowd rushed past my car.

¹ 鼓勇進迫。 ² 抄近路。 ³ 門口。 ⁴ 走出。 ⁵ 羣衆。

Q—Suppose the shots had not been fired what in your opinion would have happened? I think it is a fair question.¹

A—Of course I am used to Chinese crowds, having been in China for quite a while. There was a tremendous lot² of boys around and students who were just in mischief.³ There was a tremendous number of just lookers on.⁴ The flag-wagging seemed to drag them out with a grin on their faces more or less to see what was coming on.⁵

Q—This is about all you can tell us?

A—I feel that if the students realised the dangers they were running and the foolishness of their action, which was bound to bring forth other action, it would not have happened. A lot of the boys, I believe, never expected to run into danger or cause such trouble.

Q—What you mean is, you think the students started something and it got more serious⁶ than they expected?

A—Yes, I think the sober men⁷ among them never realised it could go so far. From the point of view of the police, if they had hesitated⁸ one minute and the crowd had gone on, then it was

¹ 公平之問語。 ² 人數極多 (tremendous 音 trē-měi/dūs). ³ 惡作劇。
⁴ 旁觀者。 ⁵ 因見旗幟飄搖，故出而觀看。 ⁶ 嚴重。 ⁷ 頭腦清楚之人。 ⁸ 遲疑 (音 lǎ/i-tāt).

"up:"¹ the police would have been trampled down² unquestionably.³

Cross-examined by Mr. Ho Fei:—

Q—What is your nationality?⁴

A—Fortunately or unfortunately, I was born in England. In Szechuan I am called a Chinaman.

Q—Are you a missionary?

A—Yes.

Q—As you are a missionary, naturally you honour humanity?⁵

A—Yes, and I love China, that is why I came to it.

Q—How many police came out to the road that day?

A—After the shooting, I demanded the car to let me out, and ran along to see if I could help the wounded. I am used to doing that work. When I got to the gate, I saw the inspector⁶ who had just brought the men out. By that time the crowd had gone. I did not count, but I imagine there would probably⁷ be 14 or 15 Sikhs,⁸ two Chinese and I think that I saw two foreigners.

Q—How many S. V. C.⁹ people did you see there?

A—None were there then.

¹ 事將弄僵。 ² 被羣衆壓服。 ³ 無疑。 ⁴ 國籍。 ⁵ 尊重人道。 ⁶ 捕頭。
⁷ 大約。 ⁸ 印度巡捕。 ⁹ =Shanghai Volunteer Corps 萬國商團 (音 vōl'ūn-tēr 'kōr)。

Q—Were all those police you saw armed?¹

A—As far as I remember, the only ones I saw armed were a few Sikh Police and two Chinese and one foreigner with a revolver,² but I am not sure of that. I was interested in the poor fellows who were hurt, and did not take much notice of the revolvers at all.

Q—When you saw there were some wounded, then you began to volunteer³ to help these people?

A—Sure. I ran from the car at once.

Q—Did you see, at the time when the police fired⁴ whether the crowd was very thronged?⁵

A—You could not see anything it was simply one mass⁶ waving flags and like a mob⁷—you could not see anything definitely.

Q—Did you hear the shots?

A—Yes, sure.

Q—Before the police shot at the students, what did the students have in their hands?

A—They did not appear when they passed the car to have anything heavy. What preceded all this⁸ I do not know. The crowd had gathered all down Nanking Road from Louza Station to above the Town Hall in one big mob. I could not see whether they carried anything or nothing.

¹ 武裝。 ² 手鎗。 ³ 自願。 ⁴ 開鎗。 ⁵ 人數甚多。 ⁶ 人山人海。 ⁷ 暴動之羣衆。 ⁸ 以前之事。

Q—Is it right that in the hands of the students there were only handbills¹ or flags?

A—The handbills were chiefly brought afterwards. The majority² of them had flags. The crowds were gathering together in a big throng, and you know what crowds are when they are out of hand.³

Q—With regard to handbills and flags, in comparison with rifles⁴ are they able to combat or resist each other?⁵

Mr. Maitland:—This is a very serious case and one does not want to have idiotic questions⁶ like this asked.

Q—I just asked the witness⁷ his opinion whether these two things have an equal resistance.⁸ If these things have any equality in resistance, then the police can shoot at the people, if not they cannot shoot at the people.

A—Let me ask you this: “Do you realize what the students were doing? Why did the students go back to Louza? Why did they not stand there and await for a delegation from someone in authority?⁹ What was their reason for that?” May I say that I have been used to crowds and

¹ 傳單. ² 大多數. ³ 秩序紊亂. ⁴ 與快鎗比較. ⁵ 與爭鬥或抵抗. ⁶ 愚笨的問語 (indiotic 音 id'ī-ōt'ik). ⁷ 證人. ⁸ 其意見以爲此二物是否有同等之抵抗力. ⁹ 由官員遣派代表 (delegation 音 dēl'ē-gā'shūn).

have frequently been in troubles in Szechuan. I have been there 15 years.

By the Magistrate:—At what time did you see the crowd in Nanking Road beside the Station?

A—I only just got there after 3.30.

Magistrate:—Were these people inside the entrance¹ to Louza Station or at the entrance?

A—They were down the road on either side of the police, who were trying to hold the thoroughfare open for traffic.²

Magistrate:—You say the crowd made a rush towards the station.³ What distance was the crowd away from the station entrance⁴ when it did that?

A—The rush to the station came from three directions.⁵ They came up by Tai Chong's on that side. They came passing on the other side of the tram that had come from Jessfield, and they also flocked up in the main road ahead of us,⁶ following the police.

Magistrate—Were they all outside the entrance to the Station?

A—They all rushed it, just a mad, mixed mob. No one could distinguish⁷ anybody in it.

Q—Did you hear the police warning?⁸

A—No, I was down as far as the Town Hall, inside the doorway of the car. May I say also the

¹ 門口。 ² 使路中車輛得以通行 (thoroughfare 音 thūr'ô-fâr'). ³ 欲衝進捕房。 ⁴ 羣衆與捕房門口相距若干遠。 ⁵ 方向。 ⁶ 在南京路上有大隊羣衆向西衝去。 ⁷ 分別。 ⁸ 警告。

crowd¹ was yelling¹ too. The yelling almost drowned the sound of the shots.² You could just hear the shots.

Q—Did you see any shots fired into the air?

A—No, I could not see that, there was too mad a rush.

Q—Since you have been in China many years, you know the habits of the Chinese. If you were in the position of the Police at that time, would you have opened fire?³

A—As a missionary, I hate it, but as an officer of the law,⁴ and if—I say if—I had been responsible for that station,⁵ I think that there was no option.⁶ I believe that there is no evidence⁷ to show that the students had any personal feeling against the Police, or that the Police had any personal feeling against the students. It was the fact of each taking their own view of things that made the clash.⁸

Q—Whose fault was it?

A—It was a misfortune,⁹ I think. If it had been at home, we should just have got the same result.¹⁰ With a foreign crowd at home we would have got the same result. May I put it this way? I think the students were looking for trouble¹¹ and not the Police looking for trouble.

¹ 呼喊。 ² 因人聲鼎沸，鎗聲幾不能聞。 ³ 倘使你充當巡捕，你以為應當開鎗麼？ ⁴ 執法官。 ⁵ 如我負管理捕房之責任 (responsible 音 rě-spōn'sib'l)。

⁶ 沒有第二個辦法。 ⁷ 證據。 ⁸ 因雙方各執成見，故致衝突。 ⁹ 不幸之事。

¹⁰ 即在本國，結果亦必如此。 ¹¹ 尋事。

By the Assessor:—How many volleys¹ did you hear—can you remember distinctly?

A—As far as I could remember, two volleys. Apparently they were pretty well simultaneous² as far as I could tell. There was no distance between the two volleys. There might have been a few seconds.

Q—You have not heard enough firing to distinguish whether it was rifle or automatic firing.³

A—I was too far away to distinguish. I have heard enough—too much.

Q—I want to go back to your testimony.⁴ You said you saw the Police on the side of the car, running back to the opening of the Station?

A—When they came into the protection of the car⁵ they rushed back.

Q—And then the crowd surged in?⁶

A—Yes, at the back of the car, they followed them up,⁷ and also at Tai Chong's there was a very big crowd—I do not think they were all students. I think it was a mob coming to look-see, but they were all yelling and rushing forward together, there must have been 1500 altogether, making a rush at the same time.

¹ 排鎗。 ² 兩排似係同時放出 (音 sī'mūl-tā'nē-ūs). ³ 所放者係快鎗抑係手鎗, 你能辨別麼 (automatic 音 a-tō-māt'ik). ⁴ 證言 (音 tēs'ti-mō-ny). ⁵ 既得電車之保護。 ⁶ 衝進。 ⁷ 追上。

Q—Did they do it slowly, or at a fast walk or at a run?

A—Very slow, till they got in the cover of the tramcar, and then they were able to rush quickly, being protected.¹ As soon as the Police got to the car, there was a mad rush round to catch them as they got to the other end of it.

Q—They were running?

A—That is what was the trouble. They got into a rush² before getting to Louza. When the Police retired,³ it left the way open for them to rush, and I think that is where the trouble came in. If it had been possible to go slow, I think they would have seen the danger they were running into, and the foolish action they were taking.

Q—There was a rush at the Station?

A—Oh yes. The Police had had great difficulty in getting back as far as the car. At that time they were using tactics⁴ which did not hurt the crowd. They kept it apart⁵ and protected themselves while they got back yard by yard.⁶ They went slowly until they got in the protection of the tramcar. The crowd at the side was not so aggressive⁷ as to attack frontally,⁸ and this made it possible for the Police to pass. When they got to

¹ 掩護。 ² 狂奔。 ³ 退。 ⁴ 機智。 ⁵ 將羣衆分開。 ⁶ 逐漸退後。 ⁷ 取攻勢。 ⁸ 由正面攻擊。

the car, it seemed to be no time,¹ as one might say, before the crowd got there, and the damage was done.²

Q—Did you see any of the people in the dock during the trouble or afterwards?³

A—Oh no. I would not recognise⁴ any of them. Two men spoke to me at Wing On's, and saw I spoke the Anhwei dialect, and we passed the time of the day.⁵ I said, 'Give me one of your leaflets⁶,' and they gave me one to look at. I would not recognise them again now.

Q—Did you see any particularly aggressive ones,⁷ leaders of the crowd?

A—Yes there were several—I should say in student dress, but a little older than the average student, about 20 to 24. They seemed to be the ringleaders⁸ and have little boys to take leaflets from them and their orders as to where to stick them.⁹ I saw that around Wing On's. One boy's duty seemed to be to run down Chekiang Road past Wing On's waving a flag and calling something and, within a minute or a minute and a half, coming back again. He was evidently giving a warning to the others on Chekiang Road, and he, with the others, then rushed forward with the crowd.

¹ 頃刻間。 ² 已肇禍殃。 ³ 現在被告諸人中有無參加暴動者。 ⁴ 辨認。
⁵ 閒談。 ⁶ 傳單。 ⁷ 最激烈之份子。 ⁸ 魁首。 ⁹ 指派小學生張貼傳單。

Q—You do not remember what that man was saying?

A—No, the dialect I could not get at all.¹

Q—You cannot identify² any one of those?

A—No, I did not see anyone in particular at all.

Evidence of Inspector³ Everson

Q—What is your full name?

A—Edward William Everson.

Q—You are an inspector in the Municipal Police in charge of Louza Station?⁴

A—Yes.

Q—How long have you been in the Police?

A—19 years.

Q—Will you tell us exactly what happened on Saturday, May 30 when this rioting⁵ was on?

A—Do you want me to go through it all again?

Mr. Maitland:—Yes, I think so in detail,⁶ as much detail as possible.

A—At about 12.40 p.m., on Saturday, May 30th, a telephone message was received from the Commissioner of Police,⁷ to the effect that⁸ students were organising meetings and distributing leaflets⁹ outside the Settlement and that Inspectors in charge of districts were to take special steps to stop them

¹ 我不懂上海話。 ² 認出。 ³ 捕頭 (commissioner 音 kōm-mīsh'un-ēr).

⁴ 老開捕房 (在南京路之捕房)。 ⁵ 暴動。 ⁶ 詳述一切。 ⁷ 接到總巡官之電話。

⁸ 略稱。 ⁹ 散發傳單。

from spreading into the Settlement.¹ At 1.55 p.m. on the same day I was in my quarters.² I received a telephone message from the charge room,³ to the effect that students were holding a meeting on Nanking Road opposite Lloyd Road. I, myself, and Sub-Inspector Shellswell immediately ran out to the spot and two detectives.⁴ I saw a crowd of, say, 50 or so, on the Nanking Road, opposite Lloyd Road. One Chinese was making a speech⁵ and several others were standing round waving flags. The man that was making the speech was the first man in front of the dock,⁶ outside the dock. I arrested⁷ that man myself and other officers arrested some more—3 or 4 altogether, and I took them into the Station to see what it was all about. The remainder, about 15 other students, accompanied them into the station⁸ or followed behind. Some of them came along with us. As soon as we got them into the charge room, I asked the first man, who was making the speech, through an interpreter⁹ “What is the nature of your speech.” He said it was anti-Japanese. He said it was a protest by the students against the killing of a Chinese workman in a Japanese mill in the Pootoo Road district.¹⁰ I

¹ 各主任捕頭應設法阻止學生闖入租界。 ² 住所。 ³ 捕房之審案室。 ⁴ 我立即率副捕頭與包探二人到場。 ⁵ 演講。 ⁶ 在押被告中前列之第一人。 ⁷ 拘捕。 ⁸ 隨至捕房。 ⁹ 繙譯員 (音 ĭn-tĕr'pret-ĕr)。 ¹⁰ 因滬西日本紗廠殺死中國工人一名，故學生出而抗議。

asked two of the others who had been carrying flags "What is the idea of the meeting in Nanking Road." They stated they were obeying the injunctions of the Students' Union¹ or Students' Council, and that there were several parties from different schools detailed to different parts of the Settlement² that afternoon to make these speeches. I also asked them, through an interpreter "Do you know you cannot do that in the Settlement." They said they could not help it, but they had to carry out the instructions of this Council.³ I then picked out three of the ringleaders, and said "Very well, I am going to lock you up,⁴ and charge you with this offence."⁵ I advised the remainder to go away⁶ and go outside the Settlement and not make any trouble in the Settlement. They said that if three of them were to be locked up, they must all be locked up. If some of them were to go away, all must go away, so they were all locked up.

Q—What time was this?

A—I went out about 1.55. They were locked up then.

Q—Were they these people (accused.)?

A—Yes. I could not pick them all out. I could pick out seven or eight of them. I was then

¹ 服從學生會之命令。 ² 派往租界各處。 ³ 學生會之命令不得不從。 ⁴ 拘禁。 ⁵ 以此罪名控訴。 ⁶ 我令餘人退出。

continually receiving reports of meetings on Thibet, Chekiang and Nanking Roads, so I concluded that I wanted every man in barracks,¹ and rang the fire bell² to get them out. Men were sent to different parts from where we had the reports, and told to break up the meetings. I, myself, went out to Thibet Road with a small party, and saw, not an actual meeting,³ but a little procession⁴ coming along. One of the students in the dock, was leading the procession, carrying a flag.

Q—Can you point out the student?

A—I think it was this one (Cha Ong Li).

Assessor—He was leading the procession⁵ on Thibet Road?

A—Yes. I arrested him and took him into the Station,⁶ and the crowd followed behind. All the party he was leading followed behind. The same thing happened again, they refused to leave the charge room and they were all locked up.⁷ This went on until 2.45 p.m. bringing in small parties from here and there, and breaking meetings up on Nanking, Chekiang and Thibet Roads. At that time (2.45 p.m.) P.C.⁸ Stevens—I did not actually witness⁹ this, attempted to break up a meeting¹⁰ on Thibet Road near Nanking Road.

¹ 我始知須令捕房內全體人員準備 (barracks 音 bǎr/raks). ² 警鐘. ³ 真正的集會. ⁴ 遊行隊 (音 prō-sēsh/ūn). ⁵ 率領遊行隊. ⁶ 拘入捕房. ⁷ 彼等不肯退出捕房之審案室, 故均拘禁之. ⁸ =Police Constable 英籍巡捕. ⁹ 我並未目覩. ¹⁰ 欲解散學生之集會.

He reported to me, when he came in, that when he attempted to disperse¹ the meeting, he was very roughly handled,² and an attempt was made to take away his gun.³ As far as I knew, that was the first real action of any violence that they had committed.⁴ He hung on to two men,⁵ and a Sikh constable came in with another who actually assaulted him.⁶ These were followed by a huge crowd of hundreds and they all came into the Station. They forced their way into the charge room⁷ and crowds were continually coming in at the Station front gate which was unprotected at the time.⁸ I collected all the men available in the Station,⁹ six foreigners and Chinese and anybody else to clear the charge room,¹⁰ because I considered the situation in the charge room of the Station to be very dangerous.¹¹

Q—You collected all the people you could. How many would that be?

A—That was about 6. They were all out on different parties on the roads. I considered it imperative that the Station, and all the approaches to the Station, should be cleared.¹²

¹ 驅散. ² 遭毆打. ³ 欲奪其鎗. ⁴ 第一次之暴動行爲. ⁵ 拘捕二人.
⁶ 印捕亦拘獲一人, 該人曾向伊攻擊 (assault 音 ǎs-sǎlt'). ⁷ 擁進審案室. ⁸ 當時無人防守捕房門口. ⁹ 召集捕房內一切人員. ¹⁰ 將羣衆逐出審案室. ¹¹ 捕房已處危境. ¹² 我認爲須將羣衆逐出捕房, 及通至捕房之要道.

Q—How many Chinese were in the Station at that time?

A—In the charge room, I should say there were between 70 and 80.

Q—And you had six people?

A—Yes, it took us quite a considerable time¹ to get them out of the charge room—nearly twenty minutes. We got them out on to the Nanking Road. I was continually receiving help from outside.² Policemen were finding it hopeless to stop the meetings, and were coming back to the Station to report to me. We got them outside the Station gate and started moving them slowly eastward along Nanking Road. They went back gradually³ to the east end of the Town Hall—that left the whole of the Nanking Road fairly clear from the Station gate to the east end of the Town Hall. At that time I thought, and so did Sub-Inspector Shellswell, that we had the upper hand of things⁴ and that we would be able to disperse them peaceably.⁵ I left the Station gate then, went back, and secured the back entrance to the Station,⁶ locked it and posted an armed guard.⁷ I also posted an an armed guard at the front inside the gate, ready for any eventualities.⁸ I then went

¹ 費許多時間, ² 此時外面援助捕房之人已陸續到場, ³ 逐漸退後, ⁴ 諸事得手, ⁵ 可用和平方法將羣衆驅散, ⁶ 將捕房後門關閉, ⁷ 派武裝巡捕駐守, ⁸ 前門之第二重門口亦派武裝巡捕駐防, 以備萬一 (音 è-vèn/tū-ǎl/i-tis).

back and took up my post in the middle of Nanking Road¹ to watch what was going on. The crowd seemed to come to a standstill² at the east end of the Town Hall. They were not going back and they were not going forward; then there was a shower of pamphlets and papers of all descriptions³ coming southwards along Chekiang Road. I could see the flags and leaflets being thrown up in the air as the crowds came round Chekiang Road to join those in Nanking Road. This appeared to put new heart into the crowd⁴ at Nanking Road, and they started surging west⁵ along Nanking Road towards the Police Station, pushing the Police before them. I saw Constable Cole going down before the rush⁶ and I saw S. I. Shellswell and a detective dart into the crowd and pull him to his feet.⁷

Assessor.—He fell down?

A—He was knocked down by the crowd in the rush.⁸ The police came back gradually from the Town Hall towards the Station gate. Every minute the crowd seemed to get denser and the cries became worse.⁹

¹ 站立於南京路中。 ² 站住不動。 ³ 各種傳單紙張紛飛路上 (pamphlets 音 pām'flēt). ⁴ 加增羣衆之勇氣。 ⁵ 向西衝去。 ⁶ 被衆人衝倒。 ⁷ 副捕頭與包探一人衝入人叢中將彼拉起。 ⁸ 被衆人衝倒。 ⁹ 人數加多，喊聲增高。

Q—Did you hear what they said?

A—In the last five minutes, before they made a mad rush, I could distinctly hear, in English, "Kill the foreigners!" This was shouted in English and in Chinese.

Q—Frequent shouting?¹

A—One continuous shout of "Kill the foreigners!" I saw all the policemen who were attempting to keep them back assaulted.² Shellswell, White, with his hands all bleeding,³ Cole, Stevens and Harper. They, of course, were using their batons and sticks,⁴ which they had in their hands by this time.

Q—What would you make an estimate of the crowd⁵ about that time?

A—I should judge it about 2,000 at that time, and it was continually being swelled⁶ from every side road. The Police came back to within 60 yards of the Station gate. Tramcars and motorcars were all in a jam,⁷ and the crowd was jammed up with them. I shouted to the Police to get to one side quickly. As soon as some of the Police ran to the side of the street, against the wall, for shelter,⁸ and others to the armed guard, inside the gate, I pulled out my pistol.⁹ I knew it was useless and pointed it here and there in the crowd.

¹ 多次的呼喊。 ² 被攻擊。 ³ 流血。 ⁴ 木棍與手杖。 ⁵ 羣衆人數約若干。

⁶ 繼續增加。 ⁷ 擁擠。 ⁸ 保護。 ⁹ 手鎗。

Q—There was no difficulty in them seeing it?

A—None at all. When the Police got into the Station behind the guard, the crowd made one blind rush¹ for the last 10, 15 or 20 yards—one blind rush to the Station gate. Just as they were 6 feet or less from the Station gate, the order to fire was given.² It was certainly not more than six feet to the edge of the crowd.

Q—Who fired?

A—The Sikhs and Chinese and, I believe, S. I. Shellswell also fired his pistol. I did not see that, but he told me afterwards.

Q—If you had not given the order to fire, what, in your opinion, would have happened?

A—If I had not given the order at that time, they would have got amongst the armed party and amongst the carbines,³ and these (arms) would have been of no use to us. The station would have gone, without a doubt.

Q—Now, Inspector, I think you would put the crowd down at 2,000?

A—Yes, I should judge that.

Q—You do not suggest they were all students?

A—No, not for a moment.

Q—Would it be reasonable to say that a lot of them were loafers?⁴

A—Yes.

¹ 狂衝. ² 即發令開鎗. ³ 長鎗 (音 kār/bīnes). ⁴ 無賴漢 (音 lōf'ēr).

Assessor:—You do not know that, one way or the other?¹

A—By the look of them, I thought all the loafers in town had got around.²

Q—Can you tell us how these men were arrested?

A—The first man, I told you. He was the first man I saw making a speech. He was arrested then.

Q—A certain number you picked out as ringleaders.³

A—Yes, this man, Chu Ching Pah⁴ (indicated), was arrested 6 minutes before the firing took place. I first noticed him in the crowd opposite Kweichow Road. This was, say, about 3.05 or 3.10 p.m. He was darting here and there amongst⁵ the crowd wherever he saw any signs of weakening. He was there to whip them up to a frenzy again.⁶ He appeared to have lost all control of himself,⁷ and was just mad. A few minutes afterwards, I saw him at the back of us at the west of the gate, trying to whip up⁸ another crowd, and trying to get at us that way. It was then I had him arrested. I believe other officers also saw him in the crowd, but

¹ 究竟能否斷定是學生或是流氓。 ² 我一望即知上海所有的流氓都混雜在內。 ³ 指出其中之首領。 ⁴ 瞿景白。 ⁵ 奔東奔西。 ⁶ 鼓動羣衆之風潮。 ⁷ 如發狂。 ⁸ 煽動。

I saw him myself. I think—my personal opinion is—that he was the absolute ringleader of the whole lot.¹

Q—He was the worst?

A—Yes.

Assessor:—You say this happened before the shooting?

A—Yes, I arrested him about 6 minutes before the shooting occurred.

(The Court here adjourned² for tiffin at 12.18 p.m. and resumed³ at 2.13 p.m.)

Dr. Mei⁴ appeared and said he had just been instructed to appear on behalf of the accused half an hour previously,⁵ and, in justice to the accused, he asked for time to obtain their instructions, and asked for a remand.⁶

The Assessor said the Court had made up its mind to proceed with the case.⁷

In answer to Mr. Maitland, Dr. Mei said he represented all the accused.

The Assessor said the Court wished it clearly understood that it was not a Court of inquiry,⁸ either to commend or criticise the action taken by the Police.⁹ They were merely trying the

¹ 爲羣衆之魁首。 ² 閉庭 (音 &d.jurn'ed)。 ³ 繼續開審。 ⁴ 梅華銓律師。

⁵ 於半小時前得被告之委託，代任辯護之責。 ⁶ 展期。 ⁷ 繼續審訊。 ⁸ 裁判機關。 ⁹ 批評或稱許巡捕之行爲。

defendants on the charges in the charge sheets.¹ Dr. Mei would be given every opportunity to bring out any evidence² regarding the charges.

Dr. Fischer³ said that in view of the remarks⁴ made by the Court, he also wished to make a remark. The Consular Body⁵ had sent a letter, dated June 6, to the Commissioner for Foreign Affairs,⁶ and in this letter it was stated "From the above it will be observed that the action of the Police has been very different from that described⁷ in your notes under reply. None can regret⁸ more deeply than the Settlement Authorities,⁹ the loss of life which has occurred, but the question of the propriety of the action taken by the Police is one which should be raised in the course of the legal proceedings when the prisoners arrested on this occasion are brought for trial."¹⁰

Assessor:—Will you read the sentence just after that?

Dr. Fischer:—Yes, "There will also, as a matter of course be an investigation by the Authorities concerned, into the action of the Police Officer in

¹ 依捕房之控告而審訊 (本句意謂公堂祇按捕房所控之理由, 審訊被告會否犯罪, 至捕房之行爲是否正當, 本公堂不下斷語). ² 證據. ³ 斐斯律師 (代表江蘇交涉公署). ⁴ 按語. ⁵ 領事團. ⁶ 交涉員. ⁷ 敘述. ⁸ 惋惜. ⁹ 租界官員. ¹⁰ 至巡捕之行爲是否正當之問題, 則應於審訊該案諸被告時, 由法庭解決之 (propriety 音 prô-pri/è-tỹ).

question,¹ besides which, the competent Courts² stand ready to deal with any complaints."³

The Assessor said that Dr. Fischer was representing the Chinese Government, and the matter which he wished to take up, was one which should be taken up with the Consular Body.⁴

Inspector Everson here continued his testimony⁵:—

Q—You have pointed out several of the ringleaders; can you point out any of the others?

A—I can point out, maybe, four more who were waving flags.

Q—Will you just point them out?

Witness pointed out Cha Ong Li, Kau Zau Zung and Wong Tsz Ching⁶ and said,—

I know these three men personally, and can vouch⁷ for them. The first one in the dock,⁸ I arrested myself, and the others were brought into the Station by other officers. The third man in the dock (Chu Ching Pah) was arrested by my orders.⁹ The remainder were arrested by other officers, or came in of their own accord.¹⁰

¹ 有關係之官廳更當調查巡捕之行爲。 ² 該管法庭。 ³ 願受理各項訟案。

⁴ 此項問題應向領事團提出。 ⁵ 證言。 ⁶ 蔡鴻立，高純道，黃儒京。 ⁷ 認明 (音 vouch)。 ⁸ 被告欄內之第一人。 ⁹ 由我命令。 ¹⁰ 自行投案。

Q—Do you know where these people come from?

A—The first 18 all told me they were from Shanghai University.¹

Q—How many told you that?

A—The first 18, and there was quite a number of those who came afterwards—I am not prepared to say how many, who also said they came from the same University.

Q—What were they doing at the University?

A—Students.

Q—Anything else you wish to add?

A—No.

The Court here refused another application by Dr. Mei for a remand,² in order that he could examine the record in order to find out Inspector Everson's³ testimony, and Dr. Mei was permitted to reserve his cross-examination.⁴

Cross examination of Inspector Everson by Mr. Ho Fei.⁵

Q—On Saturday, at noon, when you received the telephone message from the Commissioner of Police,⁶ informing you that some students were coming into the Settlement and making speeches,

¹ 上海大學。 ² 請求展期。 ³ 查閱公廨紀錄內愛活生之證言。 ⁴ 經法庭允許，展期再向捕頭詰問。 ⁵ 何飛律師向捕頭詰問之語。 ⁶ 總巡。

did you receive an order from the Commissioner that you could, if necessary, shoot at them?

A—I did not give that evidence.¹ My orders were to stop them coming into the Settlement.²

Q—On the first occasion, when you arrested these students, did they resist³ arrest?

A—No.

Q—What did the students have in their hands?

A—Some had those flags and some had pamphlets.

Q—They did not have in their hands any weapons⁴ which could kill a man?

A—Not at that time.

Q—Just now you said that six minutes before you shot at the crowd, you arrested the third man, Chu Ching Pah.

A—Yes.

Q—So that 6 minutes before you shot, at that time you had enough power to control them.

A—No.

Q—Do you know that if Police Officers are going to arrest a man, and if that man is without weapons, then the Police Officer should not use weapons to attack him?

A—I do not understand your question.

¹ 我並未說過這句話。 ² 總巡命我禁止他們闖入租界內。 ³ 抵抗。 ⁴ 武器。

Q—At the time you want to arrest a certain man, if this man tries to resist, and, if you do not kill him he will kill you, then in such a case you can use weapons to kill the man.

A—I still cannot understand.

Q—Their resisting efforts¹ were not so strong as yours because you were able to shoot them.

A—You have got the wrong sense² of the answer. I said I arrested him about 6 minutes before the shooting. That man was trying to break away from the main body of the crowd to raise another body to attack us from behind. That is the reason he was arrested.

Q—Before you shot on the crowd, did you give them any warning?³

A—Yes.

Q—In what way did you warn them?

A—I pulled my pistol out and pointed it at different people in the front ranks of the crowd.

Q—Your pistol is short, and when you were pointing it at the crowd, only the people in the front could see it, not those at the back.

A—That is quite possible.

Q—Before you shot on them, did only about 10 seconds elapse before you warned them?⁴

A—Yes, about that.

¹ 抗拒之力量。 ² 誤會。 ³ 未開鎗前曾否警告羣衆。 ⁴ 自警告至開鎗，相距是否祇十秒。

Q—At the time you used the pistol to point it at them, would it be possible for them to misunderstand that if they did not go away you would strike them with it?

A—I do not think so. It is a very serious thing for a Police Officer to point a pistol at a crowd,¹ and any crowd it is done to should understand perfectly well that he is on the point of firing at them.²

Q—When you were using the pistol to point it at them, did you say, “If you don’t go away, I will shoot at you.”

A—Yes, I was shouting that at them.

Q—Which language did you use?

A—Both Chinese and English.

Q—Do you understand Chinese?

A—A little—yes.

Q—Will you please tell me how you expressed that?

A—I took the pistol out and shouted, “Ding, veh ding-ts-meh iau tang-sah”³ (Stop, if you do not stop, I will shoot).

Q—According to your present voice, the whole of the people in this room would not hear you, and you expected the whole crowd to hear you?⁴

¹ 巡捕以手鎗對着羣衆是很危險的事。 ² 將向之開鎗。 ³ “停，勿停之末要打殺。” ⁴ 你現在的語聲很低，公堂內諸人尙聽不清楚，當時羣衆何能聽見。

A—I did not expect anyone to hear it—that is why I pulled my pistol to illustrate it.¹

Q—Even when you showed your pistol, the whole crowd would not notice it.²

A—Impossible—2,000 men.

Q—According to the Chinese way of doing things, if such a thing happened, they would post up a notice and notify the public³ that if they did the same thing again they would be shot.

A—I would not have a Station to write that notice in.⁴

Mr. Maitland:—The court heard the evidence this morning that there were 2,000 people shouting “Kill the foreigner.” Is it not a waste of time to ask if he went round to each member of the crowd and told him he was going to shoot.

Questioned by the Magistrate:—

After the shooting, did you see the corpses?⁵

A—Yes.

Q—At what distance were they in front of Louza Station.

A—The first one was just 6 ft. away. The second one was a little further on, may be 2 ft. further on.

¹ 我因知道羣衆聽不清楚，故出手鎗示之，² 但不能使羣衆全體看見。³ 貼告示佈告大衆。⁴ 本句意謂待告示寫好，則捕房已爲羣衆毀去矣。⁵ 尸首。

Q—Were the corpses in the front ranks of the crowd?

A—I could not say that. When the crowd broke and started to go back only one of the men dropped where he was standing. The other men dropped as they were weakening in the crowd.¹

Q—When the crowd of students came to the Station, was it their intention to get the other students released?²

A—The last time you mean. They came to the Station twice.

Q—The last time.

A—No. The last time their intention was to over-run the Police.³

Q—What proof have you, or was it your opinion, that they wanted to take the Station?⁴

A—By the actions of crowd and their cries.

Q—After the warning was given, did the people in the front ranks want to stop or continue to rush?

A—They came right on until the shots were actually fired.

Q—After the warning that you were going to shoot, did the people rush on or go back?

A—It did not have the slightest effect,⁵ they rushed on.

¹ 隨羣衆退去時始倒下。 ² 學生到捕房的本意，是否要求釋放被捕的同學。

³ 欲劫奪捕房。 ⁴ 你有何證據，證明他們要攻捕房，這是否你個人的意見。 ⁵

警告並無效力。

Q—What kind of rifles¹ were used?

A—The ordinary Police carbines with 5 bullets in the magazine and each shot to be loaded separately.²

Q—Not like pulling the trigger and all the bullets coming out one after the other?³

A—No, you pull the trigger, and fire one shot, then you pull back the bolt, eject the empty cartridge and inject another.⁴

Q—How many volleys were fired?⁵

A—Two.

Assessor:—You mean that each one of the armed guard fired two.

A—I could not answer that. The volleys were very ragged.⁶ I attribute that because they could not hear my orders to fire distinctly.⁷ Only the nearest one or two could hear my orders.

Magistrate:—You say there were 2,000 people in the crowd. Could a crowd of 2,000 disperse in 10 seconds?⁸

A—Not all of them, certainly, but they could clear away⁹ from where there was any danger.

¹ 鎗。 ² 巡捕用之長鎗，可裝子彈五粒，彈須一一裝進，裝一彈，始能放出一彈。 ³ 是不是一撥鎗機，彈即連續發出。 ⁴ 撥鎗機一次，發射一彈，再將鎗門撥回，取出彈殼，始能再裝 (cartridge 音 kār'trij)。 ⁵ 共放幾排鎗。 ⁶ 參差不齊。 ⁷ 大約因巡捕不能聽見我吩咐他們開鎗的命令。 ⁸ 十秒之內二千人能否散盡。 ⁹ 退去。

Q—When the crowd saw you flourishing your revolver,¹ could the people in front, if they wanted to, go back?²

A—I do not think so.

Assessor:—You said this morning, I believe, that one of the armed foreign police fired a pistol.

A—Yes.

Q—Was it an automatic?³

A—Yes.

Q—Do you know how many times he fired?

A—Once, he told me.

Q—You say one man fell about 6 feet away. Just how far was he from the kerb?⁴

A—Where he was actually shot I do not know, but he fell on the sidewalk.⁵

Q—Right in front of the gate?

A—Yes, less than 6 feet from the gate.

(This concluded Inspector Everson's testimony for the time being, and Dr. Mei, at this stage, asked that all witnesses for the prosecution be excluded from the Court and his request was complied with.⁷)

¹ 將手鎗一揚 (flourish 音 flūr'ish). ² 前列之人即欲退去, 能退不能退。
³ 自動的手鎗。 ⁴ 馬路與步道間之階石。 ⁵ 在步道上。 ⁶ 捕頭之供詞暫時終結。
⁷ 梅華銓律師此時請原告之各證人退出公堂, 經審官允准, 諭令退出。

Evidence of Dr. Muir

Question—What is your full name?

Answer—John Bertram Gilchrist Muir.

Q—You are a doctor of medicine?¹

A—Yes.

Q—Where do you work?

A—3 Peking Road.

Q—That is the hospital?²

A—No, the offices of the firm.³

Q—Did you examine any of the dead who were killed in the Saturday and Monday riots?⁴

A—I did not actually examine any of the dead,⁵ but as honorary visiting surgeon at Shantung Road Hospital.⁶ I was called down there shortly after the wounded were admitted.

Q—Do you remember how many you saw?

A—It is hard to say but, roughly, I think I saw about 15.

Q—Can you tell us, approximately,⁷ where they were wounded?

A—The majority of the wounds were between the middle of the breast and the pelvis.⁸

¹ 醫學博士. ² 醫院. ³ 診所. ⁴ 暴動. ⁵ 我並未親手查驗死者. ⁶ 爲山東路仁濟醫院名譽顧問醫生 (surgeon 音 sūr/jūn). ⁷ 大約 (音 āp-prōks'ī-māt-lī). ⁸ 大多數之傷口在胸部與骨盤間.

Q—In front?

A—Yes.

Q—Were any of them from what you saw, hit in the back?

A—Not the ones I saw. Some were hit in the side.

Q—Assuming there was a mob rushing towards Louza Police Station, would it be reasonable to expect that some of them might be hit in the side?¹

A—Yes, if a man turned sideways to the line of fire.²

Assessor:—Were these 15 men wounded on the first occasion?³

A—Yes, all at the one time—I think 15 is the correct number. There was a great rush at the time to give them first aid.⁴

Q—As regards the wounded, did you attend to them at all in hospital?⁵

A—We were operating⁶ from 4.30 to 11.30 p.m.

Q—As regards the wounded where were they shot?

A—I have a list of five that I actually did myself. Two were through and through wounds

¹ 倘使有羣衆欲向捕房衝進，則擊中側面，事實上可能不可能。 ² 倘側身向開鎗之處，則必擊中側面。 ³ 第一次。 ⁴ 當時急忙施行急救手術，故記不清楚。 ⁵ 在醫院內曾否親自診治傷者。 ⁶ 割症。

of the abdomen¹ coming in at one side and going out at the other. One was a side wound of the chest, going in at the front of the chest, and coming out at the left of the spine.² One was an anti-posterior wound in the left thigh,³ and there was another compound fracture of the left leg with most of the skin removed from the seat of the fracture which necessitated amputation.⁴

Q—Of these 15, how many died, do you know?

A—Two died within $\frac{1}{2}$ to $1\frac{1}{2}$ hours after admission as far as I can recollect.⁵ Two actually died following the operation.⁶ Two died either the following day or the day after.

Q—Were these men in the main, students or elderly people?⁷

A—The average was about 25, that is what one would estimate.⁸ One was a fairly young boy, I think he must have been caught on the edge of the crowd. He died shortly after admission.

Q—Totalling up those who died, was it about 6?

A—Yes, I think so, roughly. The hospital can furnish the exact statistics.⁹

¹ 完全是腹部受傷。 ² 一爲胸部傷，自前胸入，脊骨左邊出。 ³ 左股受傷彈從後面入。 ⁴ 左腿骨破裂，腿皮已脫去，須將腿鋸割（音 *ām'pū-ta/shūn*）。 ⁵ 照我所記得的。 ⁶ 二人於割症後即死。 ⁷ 死者是學生或是年長的人。 ⁸ 平均年齡約二十五歲。 ⁹ 詳細之表冊可由醫院交出（音 *stā-tis'tik*）。

Q—Have you got the death certificates?¹

A—I have not signed them. The medical superintendent² signs them.

(Medical certificates handed in from Mixed Court inquests file).³

Q—Can you tell us just how many of these men were shot from the side, how many from the front, and how many from the back, because there have been a lot of allegations⁴ about it? Can you help us to clear that matter up?

A—Of the 5 men I operated on myself, the first wound was from side to side, the second was from side to side, the third one was an oblique wound⁵ from front to back across the chest.

Assessor:—Is there anything in the nature of the wound which would enable you to say whether it went in at the back or at the front?⁶

A—Oh yes, as a rule, the wound of exit for a rapid projectile is larger than the wound of entrance.⁷

Assessor:—In this case, what was the actual fact here with the third man. Which was larger?

A—The wound of exit.⁸

¹ 證書. ² 主任醫生 (音 sū'pēr-īn-tēnd'ent). ³ 驗尸案卷. ⁴ 對於此點, 言人人殊 (音 āl'lě-gā'shūn). ⁵ 斜面的傷口 (oblique 音 ōb-lik'). ⁶ 就傷口而論, 能否斷定彈從前面入或從後面入. ⁷ 彈子之入口小於出口 (projectile 音 prō-jēkt'il). ⁸ 出口較大.

Q—At the back?

A—Yes. Other things that make you believe the course the bullet has taken is that if they strike a bone and go into the soft tissue, that would suggest the wound of entrance.¹ One of the men who died had been struck in the left rib and his lung was badly lacerated.² The fourth wound was an anti-posterior wound³ involving an artery⁴ in the left leg, and in the fifth one, which necessitated amputation,⁵ the bullet had absolutely splintered the left tibia⁶ below the knee joint and, I would say, it had entered from the front owing to the destruction of the skin there. These wounds must have been at fairly close range⁷ because there was disruption of some of the organs that were struck.⁸ It was not a sort of clean, traversing wound.⁹

Evidence of Sub-Inspector Shellswell

Question—What is your full name?

Answer—Rex Shellswell.

Q—Sub-inspector¹⁰ of the Municipal Police attached to Louza Station?

A—Yes.

¹ 彈入體內，擊中骨頭，折入肉內，亦可證明此乃入口。 ² 彈入左肋，肺已破裂。 ³ 由後面穿進之傷口。 ⁴ 發血管。 ⁵ 須鋸割。 ⁶ 擊碎脛骨（音 tīb'i-à）。 ⁷ 距離很近。 ⁸ 因被擊之器官均已震動。 ⁹ 非洞穿之傷口。 ¹⁰ 副捕頭。

Q—I want you to tell us all you know about the disturbance¹ on Saturday, May 30.

A—About 1.55 p.m. I was in Louza charge room² when C. I. S. 254³ came to the Station and reported that some students were gathered in an alleyway⁴ off Nanking Road opposite Lloyd Road. I accompanied Inspector Everson P.C.S.⁵ Tabrum and P.C.⁶ Stevens to the spot immediately. When I got on the Nanking Road, I saw a crowd standing at the entrance to an alleyway opposite Lloyd Road. Inspector Everson arrested the first man and handed him over to me.

Q—What was he doing?

A—When he was handed over to me he was carrying one of those flags.

Q—Did you see him before he was handed over?

A—No.

Q—Two others were arrested?

A—Yes, Stevens and Tabrum arrested one each, (Wong Tsze Ching and Liang Yoeh Woo indicated).

¹ 擾亂. ² 老關捕房案室. ³ 第 254 號華捕. ⁴ 小巷. ⁵ =Police Constable Sergeant 三道頭西捕. ⁶ =Police Constable 亦西捕, 位在 Sergeant 之下.

Q—What happened then?

A—I took my man into the Station, followed by Stevens and Tabrum, and the other two prisoners. I put my prisoner behind the bars¹ and then went to Nanking Road again. I began to disperse several crowds of people² who had collected up and down the Nanking Road around the gate. I then proceeded east³ along Nanking Road. I saw one student giving pamphlets away to passers-by.⁴ I arrested⁵ this man and took him to the Station. I put him behind the bars and left for Nanking Road again. I patrolled⁶ up and down Nanking Road from Kweichow to Lloyd Road. About 2.45 p.m. I heard Police whistles blowing from Thibet and Nanking Road corner. I immediately proceeded to the spot and saw P.C. Stevens with two students and one Sikh constable⁷ with another student.

Q—Can you say if they are here?

A—I could not identify⁸ them. I did not take much notice. I got between them and the crowd to disperse the crowd.

Q—What do you say would be the size of the crowd about that time, roughly?

A—About a couple of hundred people.⁹ I broke the crowd up. Some of them got past me and

¹ 關入鐵欄內。 ² 驅散羣衆。 ³ 向東前行。 ⁴ 將小冊子散給路人。 ⁵ 拘捕。 ⁶ 巡察。 ⁷ 印度巡捕。 ⁸ 辨認。 ⁹ 約二百人。

drove the rest along Thibet Road. I then retraced my steps¹ along Nanking Road, keeping the crowds on the south side of the road. I stood just a little east of the Station gate. At about, roughly, between 3 and 3.15 p.m., I heard Police whistles² being blown from North Chekiang Road corner. I looked in that direction and saw nothing else but a flock of pamphlets³ being thrown from the teashop on the north-east corner. There was a big crowd of people and I could see flags being waved in the crowd. I immediately set off at a run,⁴ and, when I reached Chekiang Road, I saw a Sikh Constable struggling with a student. Pamphlets were also being thrown from the south side of Nanking Road and Chekiang Road corner, the other teashop. Traffic at this time was all held up.⁵ Chekiang Road corner was nothing else but one bank of pamphlets.⁶ I then began to disperse the crowds to get the traffic on the way again,⁷ going from one corner to the other. I was there, I should say, about 10 to 15 minutes.

Q—What time would it be then?

A—I should say it was about 3.20 when I left to retrace⁸ my way back along Nanking Road. On my way to the Station a motor car passed me, going eastwards at a very slow pace. A foreigner

¹ 原路回去。 ² 警笛。 ³ 紙張紛飛 (音 pām'fēt)。 ⁴ 奔去。 ⁵ 車輛均被阻住。 ⁶ 紙張滿地。 ⁷ 將羣衆驅散, 使車輛仍得通行。 ⁸ 回去。

shouted my name and I immediately ran back and when I got to the car a foreigner of the Revenue Department¹ said, "You had better hurry up,² there seems to be trouble at the Station." I immediately set off, and when I got to Kweichow and Nanking Road corner, I saw P.C.'s³ Cole, Stevens and Harpur, forcing a big crowd of people back. I joined in and helped the P.C.'s to get the crowd back. The crowd was going back gradually. When we got to the Town Hall, the crowd seemed to stop. It could not get any further because of the crowds coming from behind. Traffic was again held up. At this time, I spoke to a student who spoke very good English, and told him to tell the crowd to go quietly away, that things like this could not be tolerated in the Settlement.⁴ When I finished speaking to him the crowd just set up one yell.⁵

Q—Did you hear what they said?

A—They were shouting out and I heard in English and Chinese "Kill the foreigner, down with the foreigner." I saw the third accused in the blue gown⁶ (Chu Ching Pah). He was one of the principal men who were urging the crowd forward.⁷ I also saw the first accused. A rush was made at this time, and P. C. Cole was thrown to the

¹ 工部局稅務處。 ² 趕快。 ³ =Police Constables 西巡捕。 ⁴ 租界以內不能縱容此種舉動。 ⁵ 大聲呼喊。 ⁶ 穿藍長衫之被告。 ⁷ 爲煽動羣衆之主要人物。

ground. They were trying to get his gun away from him. They were trying to break the lanyard.¹ The other foreigners and myself immediately went to his assistance² and got him clear of the crowd.³ A few minutes after this, P. C. Stevens was seized and they tried to pull him to the ground. They did not throw him down. We went to his assistance and got him clear. A few minutes after this, I was seized by four or five students. They got me by the hands round the collar⁴ and tried to throw me down. One man had me by the throat. The rest of the foreigners came to my assistance and got the crowd cleared away from me. Seeing the seriousness of the situation, I called upon the other foreigners to line up level with me.⁵ Repeated rushes were made at us, so I told the others to gradually work our way back to the Station, going backwards. Some of them tried to push the men in front against us and then make a rush. By this time, the men were using their batons,⁶ and I was using my stick to keep them back.

Q—What size do you think the crowd was now?

A—At this time, I should think, from 1,000 to 2,000 people. All I could see was one mass right down to Chekiang Road. They forced us back

¹ 繫鎗之繩. ² 援助. ³ 自人叢中救出. ⁴ 領項. ⁵ 排成一直綫. ⁶ 警棍.

right up to the Station gate. I heard Inspector Everson then shout the order to stand clear. I ran, took up a position on the east side of the Station gate. The next order I heard was "Fire." I pulled my pistol, loaded¹ it and fired one round into the front of the crowd. At the same time the Sikhs and Chinese fired. This had the effect of breaking up the crowd which fell back and dispersed in all directions.²

Q—How far were you from the Station?

A—I was right at the Station gate. I put my pistol back into the holster³ and walked down Nanking Road to stop the rest of the traffic coming up.⁴ Inspector Everson ordered the ambulance⁵ and proceeded to get the wounded off.⁶

Q—That is all you can tell us, I think.

A—Yes.

Cross-examination by Mr. Ho Fei:—

Q—At the time when Inspector Everson used the words asking them to stop, and the time he said he would fire on them, what was the length of time between those two orders?

A—I never heard him shout at all. I only heard "Stand clear⁷." There was a great crowd shouting and yelling⁸ at the time. When the

¹ 裝鎗彈. ² 羣衆乃四散. ³ 鎗袋 (音 hōl/stēr). ⁴ 阻止車輛前來.
⁵ 病車 (音 ām/bū-lans). ⁶ 將傷者移去. ⁷ 散開, 避出火線. ⁸ 呼喊.

Inspector gave his first shout to them, and his order to fire, there was an interval of 10 or 12 seconds.¹

Q—At the time when Inspector Everson was shouting to them, could the people at the back hear what he said?

A—It would be impossible.

Q—When the shooting took place, the people at the back could not hear and would not go back, and the people in front could not go back?

A—The front rank² could hear quite plainly.

Q—As there was such a big crowd, those in front could not go back even if they wished?

A—No, it would be impossible. There was just one mad rush for the Station.

Q—That is their reason, even those people in front, who did hear the warning, could not go back if they wished?

A—Yes, it was impossible for them to go back if they wanted to.

Q—Those shots at the crowd—were they fired one rifle after another or all at the same time?

A—It appears to me that three or four shots rang out.³

¹ 相隔約十秒至十二秒。 ² 前列之人。 ³ 鎗聲約二三響。

Q—How is it there were only three or four shots and so many people were killed and wounded?

A—The first volley¹ was three or four shots and then there were more shots after that.

Q—Altogether how many shots were fired?

A—I could not say.

Q—About—

A—I should say about 40 odd shots² were fired.

Q—Do you know how many people fired at the crowd?

A—I could not say, there may have been about 10 Police, Sikhs and Chinese. There may have been a dozen. I did not take much notice.

Q—These Sikhs and Chinese constables,³ at the time they shot on the crowd, was it by order of the Inspector?⁴

A—The Inspector's orders.

Q—If, at that time, they should shoot at the feet or legs of the crowd, would they have run away?

A—I do not think so.

Q—If they shoot at their legs, then when they feel the pain they would run away.

¹ 第一次排鎗。 ² 四十餘響。 ³ 印捕華捕等。 ⁴ 是否由捕頭命令。

Mr. Maitland—He has told you he does not think so.

Q—Was this man arrested on the spot?¹
(Yue Mai Vai 俞茂萬)

A—No, he was one of the wounded men brought in on Sunday, when I recognised² him. He was sent to the Station on Sunday. The hospital rang up³ and said there were three men ready to be discharged⁴ and a detective⁵ was sent down and the men were brought to the Station.

Q—There is no direct proof that these three people are offenders⁶ except that they were wounded.

A—They were amongst the crowd at the Town Hall. One had a bamboo in his hand and made several attempts to strike at me.⁷

Q—At the time he tried to strike you, why did you not arrest him?

A—I could not arrest him. I attempted to arrest the fourth man here (Chu Ching Pah). I made an attempt to arrest him at the Town Hall, but I would have been torn to pieces.⁸ I got a hold of him, but had to release⁹ him. I could see he was a leader and tried to get him. I turned

¹ 當場拘捕。 ² 辨認。 ³ 打電話。 ⁴ 出醫院。 ⁵ 偵探。 ⁶ 犯罪者。 ⁷ 屢次欲打我。 ⁸ 則必被衆人撕碎。 ⁹ 放去。

into the crowd and caught hold of him but the crowd seized me and I had to let him go. I did not know he had been arrested. P.C.S. Tabrum told me he had arrested him and it is my opinion that he left that part of the crowd near me when he got them into that pitch¹ and went to the west of the Station to work up the people² there to get us in between two crowds. He was simply blue in the face with rage,³ I never saw a man in such a rage, urging the crowd on.

Q—You say you recognised him. He looks like the man you saw that day?

A—I gave a description⁴ of him when I got back to the Station. I described him as being dressed in blue dungarees⁵ and that he appeared to be an engineer.⁶ When he was brought in, I recognised him straight away⁷ and said "That is the man." I gave a description of two other men before I knew they were arrested.

Q—With regard to giving lectures,⁸ and distributing handbills⁹ that is all done by students, not by workmen, because workmen are not able to give speeches.

A—I could not say that. All the people I saw distributing pamphlets and waving banners were

¹ 煽動該地之羣衆，使其怒氣達於極度。 ² 激動羣衆。 ³ 因大怒，面作灰白色。 ⁴ 述其人之狀貌。 ⁵ 藍色粗布之衣服 (dungaree 音 dūŋ'gǎ-rē)。 ⁶ 機器匠。 ⁷ 立即。 ⁸ 演講。 ⁹ 散發傳單。

students. The other people I saw who had joined the crowd were of the working class. They were brought in by the agitators¹ from the side streets.

Cross-examined by Dr. Mei²:—

Q—How long have you been in Shanghai?

A—Twelve years.

Q—All that time in the Police?

A—Yes.

Q—Do you speak and understand Chinese?

A—I speak a little and understand a little.

Q—Shanghai dialect?³

A—Yes.

Q—You stated that the crowd of students were yelling “Kill the foreigner, down with the foreigner!” Was this in English or Chinese?

A—“Down with the foreigner” in English, and “Kill the foreigner” also in English. I also heard “Kill the foreigner” in Chinese.

Q—Can you repeat what was said in Chinese, as the equivalent⁴ of that?

A—Yes—“Sah-Theh nga-kok nyung.”⁵

Q—What was the equivalent of “Down with the foreigner?”⁶

A—I did not hear that in Chinese. I heard that in English.

¹ 擾亂份子. ² 梅華銓律師詰問. ³ 上海土語. ⁴ 中國語如何說法 (音 è-kwiv'ā-lēnt). ⁵ 殺脫外國人. ⁶ 打倒外國人 (此句意謂推翻外國人的勢力, 華語無相當之說法).

Q—How far were you standing from the gate of Louza Station when you heard Inspector Everson give the order to stand clear?

A—I was right at the Station gate.

Q—With your back to the gate,¹ was the gate closed?

A—There is no gate at the entrance.²

Q—How were you standing with respect to the gate?

A—I stood facing the crowd.

Q—Did you see Everson at that time, when you first arrived at the gate at Louza?

A—When we were pushed back, I just caught a glimpse of him³ going out to the middle of the road. .

Q—When you heard Everson give the order to stand clear, did you see him at that time?

A—No.

Q—You were in front of the Station entrance on Nanking Road?

A—I was just at the east side of the Station gate by the pillar⁴ facing the crowd.

Q—By 'gate' what do you mean?

A—By the brick pillars.

¹ 背向大門。 ² 門口並無鐵門。 ³ 見過一瞥。 ⁴ 柱子。

Q—There is no fence?¹

A—No.

Q—And from which direction was the voice of Everson emanating,² inside the Station compound³ or outside?

A—Outside, from the middle of the road—Nanking Road.

Q—Was he in front of the crowd or in the midst of it?

A—There were crowds on both sides.

Q—You said you could not see Inspector Everson?

A—No, I could not see him, my back was to the Station.

Q—Then he was in the crowd?

A—No, he was not in the crowd.

Q—Where was he?

A—Opposite the Station gate. When we got the order to stand clear, I looked round and saw him.

Q—How far away from you was he?

A—About 4 or 5 yards.

Q—When he shouted “Stand clear” that was the only time you saw him?

A—Yes.

¹ 籬笆. ² 發出 (音 ěm'ā-nāt). ³ 捕房之場地.

Q—You never saw him after that?

A—Not till after the firing had taken place.¹

Q—That was the only thing you heard Everson say?

A—Yes, “Stand clear” and the word ‘fire’.

Q—Just those three words: “Stand clear, fire”?

A—Yes.

Q—You are quite sure those are the only three words you heard?

A—Yes, these are the only words I heard. This was shouted out in a very clear and loud tone.²

Q—You were standing away about 4 yards?

A—4 or 5 yards.

Q—About 12 to 15 feet?

A—Yes.

Q—Inspector Everson testified³ that he gave a warning⁴ to the students in these words in Chinese “Ding, veh ding-ts-meh iau tang-sah,” meaning “Stop, if you don’t stop I will fire.” Did you hear these words?

A—I never heard them. Very likely they were said, but I was waiting for an order to be given in English. I took no notice of Chinese.

¹ 開鎗以後 ² 聲音清楚而響亮。 ³ 供。 ⁴ 警告。

Q—You are quite sure you did not hear this command in Chinese?

A—No, I did not hear it.

Q—Standing only 15 feet away, you only heard the three words in English?

A—Yes.

Q—Being so near to Everson, did it appear to you that people situated like the crowd, say, about 15 feet away from him, could hear what he said at the time? If you could not hear, possibly they could not hear.¹

A—If it was given in Chinese, I dare say they would understand it.

Q—“If” it was given. You are accustomed to hearing Everson's voice,² it is rather a low voice, not a ringing, carrying voice,³ is it?

A—No.

Q—At this time at the Station, there was [were] about 2,000 people?

A—Yes, quite 2,000 if not more.

Q—There was no way of retreat⁴ for those in front even if they had wanted to?

A—No, no way. It was just like a moving mass.

¹ 你既聽不清楚，則羣衆尤聽不清楚。 ² 慣聽 Everson 的聲音。 ³ 不是響亮的聲音。 ⁴ 退。

Q—Is there any such thing as a fire hose¹ in Louza Station?

A—Yes.

Q—Was any attempt made to use that hose on the crowd?²

A—Not that I am aware of.³

Q—There is a water hydrant⁴ in front of the gate?

A—Inside the gate, in the compound.⁵

Q—There is one on the way down, near the charge room. That hose could have been used?

Mr. Maitland:—I think that is a question for Everson to answer. This man was out on the road and he cannot say.

Assessor:—You can state your own opinion.

Q—No attempt was made to use that fire hose?

A—No.

Q—It could have been utilised?⁶

A—No, not at the time. We were too pressed.⁷ It would have been a hard job.⁸

Q—Was there anything to stop the Police from utilising that hose?

¹ 救火用之皮帶。 ² 曾否設法用皮帶對付羣衆。 ³ 依我所知，並未用過。 ⁴ 太平龍頭(救火用之水管，音 hī/drānt)。 ⁵ 捕房內之。 ⁶ 可用。 ⁷ 被迫。 ⁸ 難事。

A—All the available men were at the entrance to the Station.¹ There was no one to get the hose going.

Q—The hose was inside the compound?

A—Yes, right inside the Station.

Q—Is the hose a very cumbersome affair,² a very large immovable mass?³

A—It is the same as the Fire Brigade⁴ uses.

Q—One man could move it?

A—Yes.

Q—If you had been ordered to attach that hose, and bring it out from the Station, could you have done so?

A—If I had been ordered to do so, I could have.

Q—Do you mean at that time?

A—No, certainly not. I thought you meant at some other time. I could not have carried out any orders⁵ at that time.

Q—How many people were in the Station at the time?

A—There was only the sergeant on duty⁶—the charge room sergeant.

¹ 捕房內所有之人員均在門口。 ² 笨重之物 (cumbersome 音 kŭm/bēr-sŭm). ³ 不易移動之巨物。 ⁴ 救火會。 ⁵ 當時縱有命令, 亦不能遵行。 ⁶ 值差之西捕。

Q—Was that yourself?

A—No.

Q—What is his name?

A—Sergeant Willgoss.

Q—Where was he at this time?

A—I could not say where he was.

Q—He was in the Station?

A—I think he was. He was the sergeant on duty that afternoon, so I think he must have been.

Q—Probably at the desk?

A—He may have been, I could not say where he was.

Q—The usual duty of the sergeant on duty is at the desk?

A—Yes, he may be at the desk. He may be interviewing prisoners.¹ He may have been going round the cells,² or he may be anywhere in the Station.

Q—Besides Sergeant Willgoss, was there any other member of the Police Force inside the compound?³

A—Not that I am aware of. I had not been in the Station for the last hour or so, and could not say.

¹ 察訪犯人。 ² 巡察拘留所。 ³ 捕房內尙有其他人員否。

Q—Usually there are some servants in the Station—cleaners, coolies¹ and people like that?

A—Sometimes there are some coolies.

Q—These people are always subject to the orders of the sergeant on duty?²

A—Yes, the barrack room staff.³

Q—So that the servants and coolies could have been ordered to bring out the fire hose and attach it to the hydrant?

A—I could not say. There may not have been any coolies in the Station that afternoon.

Q—Can you state positively⁴ that there were not any coolies in the Station at that time?

A—No.

Q—Had there been some servants or coolies, and had these people been ordered to attach the fire hose, it could have been done?

A—I suppose it could.

Q—Mr. Maitland:—Don't forget there was a seething mob⁵ in the road outside.

Q—You testified⁶ that you fired one¹ shot from your pistol?

A—Yes.

¹ 僕役。 ² 聽值差西捕之指揮。 ³ 西捕住所之人員。 ⁴ 確實。 ⁵ 騷動之羣衆。 ⁶ 供述。

Assessor:—Do you mean one bullet or one clip?¹

A—One bullet.

Q—Did you notice whether you killed anyone?

A—I could not say.

Q—Did you drop anyone?²

A—I could not say.

Q—You just fired indiscriminately into³ the mob?

A—No, I fired at the front rank of the mob.⁴

Q—You fired to kill?⁵

A—Yes, certainly, I fired to kill.

Q—When you heard the order of Inspector Everson to fire, was there any possibility that you might have considered that order to fire into the air, just to scare away the mob?⁶

A—Certainly not.

Q—So that “Fire” in your mind, at that moment anyway, meant fire to kill?

A—Yes, fire to kill.

Q—How far was the nearest man to you, at whom you fired?

A—I should say 6 or 7 feet.

¹ 是一粒或是一排。 ² 曾否將人擊傷倒地。 ³ 貿然，率爾 (indiscriminately 音 in'dis-krim/i-nātly). ⁴ 向前列之人開鎗。 ⁵ 開鎗的本意是否要將人擊死。 ⁶ 將羣衆嚇散。

Q—That was at the moment you fired?

A—Yes.

Q—The nearest man was about 7 feet away?

A—The crowd was 6 to 7 feet away, not one man.

Q—Then the mob was not right up to the very gate¹ when the order to fire was given? They were 7 or 8 feet away?

A—That was about the distance from me. I do not know what the distance from the other men was. I was at the pillar² to the side of the gate.

Q—Were there any Police standing at the opposite pillar³ on the west side?

A—I could not say.

Q—You could not say?

A—No, I just heard the rifles⁴ being opened and closed.

Q—Now, if this crowd was about 7 or 8 feet away from the Station gate, when the order to fire was given, then it is not true that they made a rush to capture the Station?⁵

A—They certainly did make a rush.

¹ 迫近捕房門前。 ² 柱子。 ³ 對面之柱子。 ⁴ 快鎗。 ⁵ 羣衆與捕房門口相距既有七八尺，則欲衝進捕房之說並非事實。

Q—You have been in the Police Force for 12 years. Have you ever met such a situation before?¹

A—Never before.

Q—Have you had any previous instruction on the part of the Police as to what your duty would be in such circumstances?²

A—In the event of danger to life or property, the order is to shoot to kill.³

Q—You are given full discretion to say when there is danger to life or property?⁴ You have full judgment when you are to fire, when you consider there is danger to life or property?⁵

A—No.

Q—Then you fire only upon the command of a superior officer?⁶

A—Yes, upon the command of a superior officer.

Q—The rank of sub-inspector is fairly high⁷ in the Police Force?

A—Yes.

Q—Have you read the Police Regulations?⁸

A—Yes.

¹ 以前曾遇此種事變否。 ² 按長官訓令，遇有此種事變，應如何對付。 ³ 如生命或財產處於危境，則可開鎗殺人。 ⁴ 生命財產有無危險，你是否可自由斷定。 ⁵ 你認為生命財產有危險時，是否可自由開鎗。 ⁶ 上級警官。 ⁷ 副捕頭階級很高。 ⁸ 捕房章程。

Q—You know them?

A—Yes.

Q—Do you know of anything in the Police Regulations which requires due warning¹ to be given to a crowd of people before firing to kill is done?

A—No.

Q—I presume you are a British subject?²

A—Yes.

Q—Did you have any previous police training³ before coming to Shanghai?

A—No.

Q—If I recollect⁴ correctly, you testified that the students were not armed except one man who had a bamboo pole.⁵

A—Some of the others had these bamboo sticks.⁶

Q—Do you call those sticks dangerous weapons?⁷

A—If you are struck about the face with several of them, I would say they were dangerous.

Q—By several of them?⁸

A—Or one.

¹ 相當之警告。 ² 我想你是英國人。 ³ 巡警之訓練。 ⁴ 記憶。 ⁵ 竹棍。
⁶ 竹竿。 ⁷ 危險之武器。 ⁸ =several of the sticks,

Q—Did you see any particular student with a bunch of these sticks together?¹

A—No, I could not pick them out.

Q—So your supposed danger is nil?²

Mr. Maitland: What, with 2,000 people?

A—There was any amount of students had them.

Q—One in each hand?

A—They were not only carrying one each.

Q—Did you see anyone attack³ the foreign police or anyone else with these sticks?

A—Yes, all the foreigners were struck with these, and one man had a bamboo, evidently taken from some hoarding⁴ or some building in course of construction.⁵

Q—Did you see any person injured⁶ with these sticks sent to hospital?

A—Yes, P. C. Harpur was hit over the bridge of the nose⁷ and sent to hospital. P. C. Cole also went to hospital and P. C. White had injuries inflicted⁸ by the use of these sticks.

Q—Did you see them?

A—No, I heard about it after they had been sent to hospital.

¹ 有無學生一手執有許多竹竿。 ² 那末你理想中的危險，實際上並不存在
³ 攻打。 ⁴ 藏物之處。 ⁵ 方在建築之房屋。 ⁶ 受傷。 ⁷ 鼻梁。 ⁸ 加害。

Q—You did not know yourself?

A—No, I was told they were struck with bamboo sticks.

Q—These were minor injuries,¹ easily dressed² in hospital?

A—I could not say.

Q—When did you see these officers when they told you they had been struck by sticks?

A—I saw Cole afterwards on Saturday and he told me he had been injured. I also saw Harpur with a wound across the bridge of his nose.

Q—So far as you could see, they were not mortal³ or very serious wounds?

A—No.

Q—They were back on duty on Saturday night?

A—No, some of them were off for 2 or 3 days. Some went on half duty.

Q—Did they go off duty on account of the injuries received?

A—Yes.

Q—Apart from these sticks, and the bamboo which, you stated, was wielded by one man, you did not see any other weapon?⁴

A—No, no other weapon.

¹ 微傷. ² 易於醫治. ³ 致命的. ⁴ 除竹槓竹竿之外, 有無他種武器.

Q—Was there anything more dangerous than these bamboo sticks, taken into the Police Station?

A—No.

Q—Have you got the bamboo which was used by the man you speak of?

A—No.

Q—Where is it?

A—I could not say, I saw him amongst the crowd with it.

Q—Did you not take it away from him?

A—That was more than I dared to.¹

Q—You first made the statement that you heard 3 or 4 shots ring out as it appeared to you and later that there were more shots. Just when did you hear the 3 or 4 shots?

A—It was the first volley.

Q—Did you count the shots?

A—No, I could not say, I did not count them. There may have been 20 or 30 shots ring out.

Q—The charge² against these men is "That they did, on May 30, 1925, knowingly continue in an assembly of persons who had come together with intent to commit violence after such assembly had

¹ 我不敢。 ² 控告之理由。

been commanded by the competent authorities to disperse." On what do you base your conclusion that there was an intent to commit violence?¹

A—P. C. Cole was thrown to the ground, they tried to pull Stevens and me to the ground; if they had, it is sure that one of us would have lost our lives.

Q—You include in this charge the attack or attempted attack on the Police Station?

A—I could not say, Inspector Everson was in charge of that.

Magistrate:— Among these 2,000 people, you say some were students. The rest of them, are they spectators or loafers,² or what are they?

A—I could not say. Some were, perhaps, on-lookers and some had just joined the crowd. There may have been loafers amongst them. I noticed some amongst them who appeared to be of the loafer class.

Magistrate:— Were there any empty shots or blank shots³ fired that day into the air?

A—No, not that I am aware of.

(This concluded S. I. Shellswell's evidence),

¹ 蓄意惡殺，你根據那種證據。 ² 旁觀者或流氓。 ³ 空鎗。

Evidence of P. C. Stevens

Question—What is your full name?

Answer—Andreatha Vandrales Stevens.

Q—Police constable S. M. Police¹ attached to Louza?

A—Yes.

Q—Your nationality?²

A—British.

Q—You remember the trouble on Saturday, May 30?

A—Yes.

Q—Just tell us as shortly as you can, what happened to you, yourself.

A—I was in the charge room about 1.55 when a Chinese sergeant³ came in and reported a disturbance on the Nanking and Lloyd Road corner.

Q—Did you go to Nanking Road?

A—Yes.

Q—Did anything happen to you on the Nanking Road?

A—In the first place, I was instructed⁴ by Inspector Everson, to arrest the second accused and take him to the charge room.⁵ (Accused: Wong

¹ = Shanghai Municipal Police 上海工部局巡捕. ² 國籍. ³ 華捕 (俗稱三道頭). ⁴ 受命. ⁵ 拘入捕房內.

Tsz Ching). After bringing him to the charge room, I was told to go out, and stand at the Station gate.

Q—Did anything happen to you?

A—Yes, I was patrolling¹ from Thibet Road to the Station gate. On reaching Thibet Road, I saw 70 to 100 persons running from Thibet Road down the Nanking Road. They stopped at the corner of Lloyd Road, and commenced speaking.² I walked up to the one who was speaking who could speak English and I asked him quietly to go away. He said, they were going to hold a meeting,³ thereupon I got hold of him and another one who was a ring-leader,⁴ and attempted to bring them to the Station. As soon as I caught hold of these two men, I was surrounded⁵ by a dozen to 20 more of these students. I was pulled to the ground and kicked and struck with the fists⁶ from several others, but still maintained my hold on these two men.⁷

Assessor:—Which two men?

A—They are not here. I do not know where they came from but had it not been for some foreigners and a Sikh Constable,⁸ I should have been mauled.⁹

¹ 巡察. ² 開始演講. ³ 集會. ⁴ 首領. ⁵ 圍住. ⁶ 拳打. ⁷ 仍未放手.
⁸ 印度巡捕. ⁹ 打傷 (音 mōl.)

Q—Were you able to take the men to the Station?

A—Yes. I regained my feet¹ and an attempt was made to snatch my gun from me,² but I got it down and still held the men and took them to the Station.

Q—What happened to these two men?

A—We were followed by about 100 people to the Station. When I got into the Station and put the two men behind the bars,³ all those following came into the Station.

Q—During the confusion in the Station did they escape?⁴

A—Yes.

Q—Did you go to hospital?⁵

A—No.

Cross-examination by Dr. Mei:—

Q—How long have you been in the Police?

A—12 months last month.⁶

Q—Do you recognise any of these accused here as being in the crowd?⁷

A—Yes, the first two men in the dock.⁸ I arrested⁹ the 2nd. The first one was arrested by Inspector Everson and handed over to me.

¹ 站起。 ² 有人欲奪我的鎗。 ³ 鐵欄。 ⁴ 該兩人是否在擾亂時逃去。 ⁵ 醫院。 ⁶ 到上月爲止，已任職一足年。 ⁷ 被告中有無在場之人，你能辨認否。 ⁸ 被告欄。 ⁹ 拘捕。

Q—When did this trouble start as far as you can remember?

A—Just 2 o'clock. The Chinese sergeant came in about 1.55.

Q—You remember the hour quite well?

A—Yes.

Q—Were you present when the firing was done?

A—Yes.

Q—About what hour was that?

A—3.30, just turned 3.30.¹

Q—You are quite sure of the time?

A—Yes, roughly between 3.30 and 3.35.

Q—When this report² was made to the sergeant in charge,³ you were in the Station?

A—Yes.

Q—What were you doing there?

A—I was the relieving officer⁴ from 1 to 2, relieving the sergeant on duty while he went to tiffin.⁵

Q—How many people were there in the Station at the time this report was made?

A—I could not say, I think two.

¹ 準三時半。 ² 報告。 ³ 值差之西捕。 ⁴ 調差。 ⁵ 午膳。

Q—Two foreigners?

A—Yes.

Q—One was Sergeant Willgoss and the other yourself?

A—Yes.

Q—Were you here when S. I.¹ Shellswell gave his testimony?²

A—I was at the back of the Court.

Q—Beside Sergeant Willgoss and yourself were there any other foreigners?

A—Inspector Everson and S. I. Shellswell were in their quarters.³

Q—Any Sikhs?

A—I do not know about them. There were several Sikhs there.

Q—About how many, approximately?⁴

A—A dozen to 16.

Q—Were there any Chinese constables there?

A—Yes, I think a few.

Q—About how many?

A—I did not see exactly, but I heard them upstairs.

Q—In the charge room?

A—In the charge room there was the sergeant, the gateman and his assistant.⁵

¹ = Sub-Inspector. ² 證言. ³ 住所. ⁴ 大約 (音 āp-prōk'sī-māt-ly)

⁵ 幫手

Q—Chinese?

A—Yes.

Q—The gateman and his assistant are on duty there all the time?

A—Yes, and the interpreter.¹

Q—They are not supposed to go out of the Station except to relieve each other?

A—Yes.

Q—Were there any Chinese servants or coolies?

A—I did not see any at that time.

Q—There usually are servants and coolies?

A—Yes.

Q—About how many in that Station?

A—I could not tell you exactly.

Q—You said you heard there were some constables upstairs?

A—Yes.

Q—How do you know they were Chinese?

A—Because it is the Chinese quarters.

Q—Any foreigners living upstairs?

A—No.

Q—About how many Chinese constables upstairs?

A—About a dozen.

¹ 翻譯.

Q—You said you spoke to two men who were speaking in English and told them to go away?

A—Yes.

Q—They obeyed your order?¹

A—After I was badly mauled by the crowd,² they came to the Station. After I was on the ground,³ they came quietly to the Station. When I was on the ground with these two men, the other students were kicking and thumping at me with their fists.⁴

Q—They went quietly to the Station afterwards?

A—Yes.

Q—Did you see any weapons⁵ in their hands, instruments that could inflict injury?⁶

A—They had flags in their hands.

Q—Just the bamboo sticks?⁷

A—Yes.

Q—Did you see any sticks or other instruments thicker than those?

A—Yes, afterwards, about 3.20.

Q—What did you see?

A—Theselong bamboo poles carried by coolies.⁸

Q—How many of these did you see?

A—I saw four.

¹ 服從命令否。 ² 被羣衆毆打。 ³ 倒在地上。 ⁴ 脚踢拳打。 ⁵ 武器。 ⁶ 可加害之兇器。 ⁷ 竹竿。 ⁸ 苦力用之扁擔。

Q—Did you get any of them to the Station?

A—No.

Q—You saw those bamboo sticks in the hands of coolies?

A—No, they were in the students' hands. Where they got them I could not say.

Q—Did you see any of them in the hands of the accused?¹

A—No.

Q—How many police were there with you at the time you saw the four bamboos?

A—Three constables and the sub-inspector.²

Q—Chinese or foreign?

A—Foreign police—S.-I. Shellswell, Cole, Harpur and White.

Q—None of them took any of the bamboos away?

A—No.

Q—Can you suggest³ why the bamboos were not taken to the Station?

A—Yes, an attempt was made to take them; in fact, I got hold of one of them, and when I was going to take the man to the Station, I was being struck across the shoulders by the other fellows.

¹ 被告。 ² 西捕三人，與副捕頭。 ³ 說明理由。

Q—You did not succeed in getting them?

A—No.

Q—Do you recognise any of the accused as having been amongst those who struck at or hit you?

A—No.

Q—You are prepared to say that none of these people did strike you?

A—None of these people here ever struck me.

Q—Did you see those banners displayed?¹

A—Yes, but I could not recognise them.

Q—Do you read Chinese?

A—No.

Q—I will tell you that this banner simply says “School of Political Science Lecturin Squad.”² Do you call that a document which would cause a breach of the peace?³

Mr. Maitland:—That is not for this witness to say.

Q—You took these banners to Louza?

A—One or two I took to the Station.

Q—Did you see any of these carried by the students?

A—Yes. I do not know what they are, but all sorts of flags were carried.

¹ 所揚之旗幟。 ² 法政大學演講團。 ³ 可否稱為擾亂治安之文字。

Q—They look very dangerous weapons, don't they?

Mr. Maitland:—He never suggested they were weapons.

Q—Did you do any firing?¹

A—No.

Q—Where were you at the time of firing?

A—At the rear² of the Sikhs at the Station gate.

Q—Where were the Sikhs?

A—Standing at the Station gate. They were parallel with the two brick pillars,³ half-moon shaped.

Q—Semi-circular?⁴

A—Yes.

Q—Concave?⁵

A—Yes.

Q—These Sikhs were all armed?⁶

A—Yes.

Q—Where was Inspector Everson at the time?

A—Standing on the Road on the side of the Sikhs facing south-east.

Q—Could you see him from where you were standing?

A—No.

¹ 開槍。 ² 後面。 ³ 與磚砌之柱子平行。 ⁴ 半圓形。 ⁵ 凹。 ⁶ 帶槍。

Q—How far away from him were you standing?

A—About 8 yards to 10 yards.

Q—Was he hidden from your view by the Sikhs?

A—Yes.

Q—Did you hear any warning¹ given by Inspector Everson?

A—I heard a warning, but not distinctly enough to understand what it was.

Q—If you could not get it distinctly, how do you know that it was a warning?

A—I heard the first part.

Q—What did you hear?

A—"Stop."

Q—Is that all you heard?

A—Yes.

Q—Then what followed?

A—I saw his hand, and in his hand was his gun.

Q—Whose hand?

A—Inspector Everson's.

Q—A moment ago you said he was hidden from you and was 8 or 10 yards away?

A—He was standing there. I knew he was there. I could hear his voice, and see his figure² and his arm.

¹ 警告. ² 身體

Q—How many Sikhs were in front of you?

A—Altogether at the gate about 20.

Q—These 20 Sikhs were standing between you and Everson?

A—Yes.

Q—Were they standing two or three abreast?¹

A—I do not know the formation² exactly. They were all lined up together.³

Q—These Sikhs are usually pretty tall men?

A—Yes.

Q—About as tall or taller than Everson?

A—Some taller, some about as tall.

Q—If some were taller, and some were as tall as Everson, and they were close up in rank,⁴ and there was no space⁵ you could see through, how in the world could you see his hand with the gun in it?⁶

A—I saw him over the Indian's shoulders. His hand was pointing out.

Q—Pointing up?

A—No, straight in front.

Q—What was he doing with the gun in his hand?

A—He was speaking to them in Chinese and doing like this (pointing the gun at different men).

¹ 二人並立, 或三人並立。 ² 排列法。 ³ 列成一排。 ⁴ 排得很密。 ⁵ 空處。 ⁶ 你那裏能夠看見 (萬無此理之意)。

Q—You saw him motioning with the gun,¹ and speaking in Chinese?

A—I took it to be in Chinese.²

Q—How did you know he was talking in Chinese?

A—I understand a little Chinese.

Q—What did he say?

A—"Ding, ding," which is "Stop," I know, in Chinese, and the rest I did not understand.

Q—Those are the only two words you heard?

A—I heard other words but I did not know the meaning of them.

Q—You were only about 8 yards away?

A—Yes.

Q—Was it not about 8 feet away? Is it not 8 feet and not 8 yards?

A—From where I am now to as far as the opposite wall.

Q—Then it was about 8 feet?

A—Yes.

Q—Is there any other statement you have made here you wish to change?³

A—No.

¹ 以槍向來示威。 ² 我想係華語。 ³ 你在此之供詞，尙有他語欲更改麼。

Q—You simply heard the two words “Ding, ding” and nothing else?

A—I heard other words which I could not understand. They were not clear and distinct owing to the noise being kicked up¹ by those students.

Magistrate:—Did you hear any words in English, besides those two words, was there anything else spoken by Everson?

A—That I could not say.

Q—Did you see him fire?

A—No.

Q—Did you see the Sikhs in front of you fire?

A—Yes.

Q—What interval of time² passed between your hearing the two words “Ding, ding” and the firing?

A—About 10 to 12 seconds.

Q—Is this your own judgement,³ or that you have heard or read about it in the newspapers after the inquest⁴ was held?

A—This is my own judgement absolutely.⁵

Dr. Mei:—Surprisingly uniform.⁶

Q—You have reviewed the whole scene in the Police Station before you came here?⁷

A—No.

¹ 激起。 ² 相隔之時。 ³ 自己的意見。 ⁴ 驗屍。 ⁵ 完全是我自己的意見。
⁶ 不約而同，真是可怪。 ⁷ 你對於本案的供詞，是否曾在捕房內練習。

Q—Not at all?

A—Only with Mr. Cole.

Q—You have made no statement to the Police Legal Adviser?¹

A—No.

Mr. Maitland:—I have never seen him before.

Q—From where you were standing, could you see there was a very large crowd in front of the Station?

A—When we came back from the Town Hall, we backed² every step, and then we got the order to get inside quick. From the appearance of the crowd, there would be from 1,800 to 2,000.

Q—So far as you know, were there any blank shots³ fired that day?

A—I could not tell you.

Q—After the firing was done, could you see some corpses⁴ on the ground?

A—Yes, some wounded and some killed lying on the road.

Q—Did you ever see a hose in Louza, a fire hose?⁵

A—Yes.

Q—Ever touch it?

A—No.

¹ 捕房之律師。 ² 向後退。 ³ 空鎗。 ⁴ 屍身。 ⁵ 救火皮帶。

Q—Ever handle it?

A—No.

Q—Is Inspector Everson the highest officer in Louza?

A—Yes.

Q—Do you know whether the Police, during the time you were standing at the gate, sent for any assistance?¹

A—I could not tell you.

Magistrate:—These bamboo poles—were they flat poles that coolies and country people use for carrying things?

A—They were about 5 feet long and half egg-shaped.

Q—Were they carrying them on their shoulders?

A—No, in their hands, swaying² about.

Q—How did you know the man who held the bamboo stick was a student?

A—I went by his clothes³ and some of them were speaking English.

Q—Why did you not arrest him?

A—I tried to arrest one and was set on⁴ by three others with those sticks.

Q—At that time you had five foreign police with you?

A—Yes.

¹ 求援。 ² 亂使，揮。 ³ 我觀其服裝而知之。 ⁴ 被攻。

Q—And you did not arrest even a single one?

A—Any attempt to arrest one would have meant the death of one of these foreigners.

Q—Were any people wounded by these bamboo poles?

A—I could not say.

Evidence of P. C.¹ Cole

Question—What is your full name?

Answer—Archibald Sydney Cole.

Q—P.C. S.M.C. attached to Louza Station?

A—Yes.

Q—On the Saturday when this trouble arose were you injured?²

A—Yes.

Q—How were you hurt?

A—I was kicked on the knee.³

Q—What were you doing?

A—I was assisting to keep the crowd back at the Town Hall.

Q—Did you stay on duty?⁴

A—I went to the hospital next morning.

(Medical certificate⁵ handed into Court).

1 = Police Constable. 2 受傷. 3 膝骨被踢. 4 照常值差. 5 傷單, 醫
之證書 (音 sēr-tif'ī-kāt).

Q—How long were you there?

A—About half an hour. I went down with some others.

Q—Can you tell us of your own knowledge who else was injured that afternoon?

A—P.C. Harper was injured on the nose.

Q—Did he remain on duty or had to go off?¹

A—He remained on duty during the trouble. He went to the hospital next morning with me.

Q—How long did he stay there?

A—The same time as I did.

Q—Anybody else you know?

A—Not that I know of.

Cross-examined by Dr. Mei:—

Q—Where were you when you were kicked?

A—Outside the Town Hall.

Q—Do you recognise any of the accused as your assailant?²

A—Not as my assailant, no.

Q—Were you in the Court room when S.J. Shellswell or P.C. Stevens testified?

A—No.

Q—Stevens stated that one of you was injured with a bamboo pole³—you, I think he said, if I am correct?

¹ 不能值差。 ² 攻擊者 (音 ǎ sāi/ǎnt)。 ³ 被人用竹頭打傷。

A—I was struck by something on the right side of the head.

Q—With these bamboo sticks here?

A—I could not say what it was with.

Q—P.C. Stevens did not say anything about your being kicked on the knee.

A—I was kicked on the knee whilst I was on the ground.

Q—With what were you struck on the face?

A—I could not say. There was a bruise¹ across here from the eye to the ear which could be seen at the last hearing,² but the mark is gone now.

Q—They were inconsequential bruises?³

A—My ear was black inside and I can still feel it sore on this bone.⁴

Q—When did you go to the hospital?

A—Early the following morning.

Q—The attending physician⁵ does not say anything about a bruise on the certificate?⁶

A—No, I told him about it, but he said it would go away and that there was nothing broken.

Q—At the time of the firing where were you standing?

A—At the back of the Sikh policeman.

¹ 傷口 (音 brōoz). ² 上次審案時. ³ 無關緊要之損傷 (inconsequential 音 in-kōng/sē-kwēn/-hāl). ⁴ 耳之內部青腫, 現仍覺痛. ⁵ 診治之醫生. ⁶ 證書上並未提及傷痕.

Q—With P.C. Stevens?

A—Close to him.

Q—How many other foreigners were there beside yourself and P.C. Stevens?

A—Where do you mean?

Q—Were there any other foreigners behind the Sikhs standing with you and Stevens?

A—I did not see any.

Q—Only the two of you?

A—Yes.

Q—How many Sikhs were there?

A—I could not tell you the exact number, but, I think, roughly, about 15.

Q—It might have been 10?

A—I think there were more than 10.

Q—It could not have been more than 15?

A—I do not think so.

Q—Which of you is right. Stevens said there were 20 Sikhs. You say there could not be more than 15?

A—I could not say who was right. There was so much excitement¹ at the time. We did not stop to count the Sikhs at the gate.

¹ 驚惶.

Q—How did you come to be standing behind the Sikhs?

A—When only a few feet from the Sikhs, I was ordered by Inspector Everson to get behind.

Q—Could you see Inspector Everson at the time of the firing?

A—No.

Q—Where do you think he was?

A—He was in the front somewhere. I thought he was in front of the Sikhs.

Q—Between the Sikhs and the crowd?

A—Possibly, I could not say.

Q—Were you in the Station when someone came to report there was trouble brewing² on Lloyd and Nanking Road corner?

A—I was in the Station when the alarm³ went for all the men to turn out.⁴

Q—Which alarm?

A—The Station fire alarm.

Q—Who was there with you?

A—There was nobody in my room.

Q—Where was your room?

A—Upstairs on the second floor,

¹ 醞釀. ² 警鐘. ³ 準備出發.

Q—I thought P.C. Stevens said only the Chinese Constables lived upstairs?

A—There was two places. One is the Chinese quarters and one the foreign. The Chinese is above the charge room. Our quarters are on the opposite side of the compound.¹

Q—You were not in the charge room when the report was made?

A—No.

Q—When did you come downstairs after the alarm?

A—A few minutes afterwards.

Q—What did you do after the alarm?

A—I went to the charge room and was told by the sergeant on duty² to go out on Nanking Road. When I got to the gate, I met Inspector Everson and he instructed me to assist in dispersing any crowds³ which might gather, and also to arrest any people causing a crowd to gather together, students.

Q—When was it you were ordered behind the Sikhs?

A—About 3.30.

Q—What time were you ordered by Inspector Everson to disperse the mob and help him to arrest people?

¹ 捕房之空地。 ² 值差之三道頭西捕。 ³ 幫同驅散羣衆。

A—About 2.20.

Q—So it was about 1 hour and 10 minutes after, that you were ordered to stand behind the Sikhs?

A—Yes.

Q—In that interval¹ what were you doing?

A—I was assisting in the arresting of the students.

Q—Do you remember the time of the firing?

A—About 3.30.

Q—Do you remember what happened immediately before the firing took place, hearing anything or seeing anything?

A—I saw a huge crowd coming in the direction of the Station.² I was one of the people trying to hold the crowd back.

Q—What else?

A—I heard Inspector Everson shout something in Chinese.

Q—Do you understand Chinese?

A—No.

Q—How long have you been in China?

A—One year.

¹ 時間 (音 in/tēr-vál). ² 大隊羣衆向捕房前進。

Q—In that one year's service¹ you do not know the simple words that could have been spoken at a time like that?

A—No.

Q—Do you know the Chinese word for "Stop"?

A—"Ding".

Q—Did you hear that word?

A—Yes, but what followed it I did not understand.

Q—Did you hear one 'ding' or two 'ding'?

A—I heard 'ding' called. I heard Inspector Everson shout "Ding."

Q—That is all you heard—just the one word?

A—That and other Chinese words were spoken by him. The other words I did not understand and "Ding" was the first word I heard.

Q—Then what followed? Did you hear anything else by anybody else?

A—I heard the crowd shouting, of course. There was an awful noise. Everyone was shouting.

Q—Did you hear the word "Fire"?

A—Yes.

¹ 服務期.

Q—About how much time elapsed¹ between the word “Ding” and the command to fire?

A—A few seconds. Say about 12 seconds.

Q—That is all you know?

A—Yes.

Q—Have you ever seen a fire hose in Louza Station?

A—I have.

Q—Have you ever seen it operating?²

A—No.

Q—So far as you know it is in working condition?³

A—Oh yes. I have seen the hose undone,⁴ possibly to be cleaned. I have never seen it in operation.

Q—Have you ever seen it used to flush the compound⁵ down?

A—No. I have seen it undone for cleaning the outside of the hose but I have not seen it used.

Q—There was a water hydrant⁶ near the gate?

A—That I could not say for certain.

Q—Is there a hydrant inside the gate near the station hose?

A—Yes, near our quarters.⁷

¹ 相隔幾時。 ² 運用。 ³ 完好可用 (未破損)。 ⁴ 卸下。 ⁵ 沖洗空場。 ⁶ 太平龍頭。 ⁷ 住所。

Q—It is a regular fire hose.¹ How many are there?

A—I could not say.

Q—If the command had been given to unwind that hose,² it could have been attached to the hydrant near the quarters?

A—Yes.

Q—It is a regular fire hose with a regular brass nozzle?³

A—I could not say. I have never inspected⁴ it closely.

Q—So far as you know, it is the regular fire hose with the brass nozzle that can shoot pretty high?

A—Yes, but I could not say for certain.

Q—Besides those sticks that were taken to the Station you did not see any other arms or instruments?⁵

A—I saw no arms.

Q—Did you see these prisoners here in the dock,⁶ committing any offence,⁷ with your own eyes?

A—Yes. One man, the third from the left (Chu Ching Pah); he was in the crowd at the Town Hall and was the man who urged the crowd⁸ forward

¹ 救火用之皮帶. ² 放開皮帶 (unwind 音 un-wind'). ³ 噴水頭 ⁴ 細察. ⁵ 兇器. ⁶ 被告欄內. ⁷ 犯罪. ⁸ 鼓動羣衆.

in the first place. He was absolutely mad. He seemed to be the principal man.¹ He was the only man in this lot I recognize.²

Magistrate:—What time was the third accused arrested?

A—I do not know; I did not see him arrested.

Q—Was he arrested one or two hours before the firing of the guns?

A—I could not tell you. I saw him at the Town Hall in the crowd there.

Evidence of D. S. Papp.

Question—What is your full name?

Answer—Edward Papp.

Q—Detective Sergeant,³ Municipal Police, Louza Station?

A—Yes.

Q—Did you interview⁴ some of those students?

A—Yes.

Q—Which one did you interview?

A—None of these accused.

Q—Where did you come from?

A—I came from the charge room at 2.20. More and more students were being brought into

¹ 首領. ² 辨認. ³ =Detective Sergeant 西探. ⁴ 交談.

the charge room. Some of them came voluntarily¹ into the Station.

Q—Did you receive any information² from the students?

A—Yes, some of them were from the Toong Tuh Medical College³ and one of them addressed me in German.⁴ I answered in German and questioned him and he stated that they had received instructions from the Peking Students' Association to hold these demonstrations.⁵

Assessor:—Are you quite sure it was Peking?

A—Yes. One of the others stated that more than 3,000 students were to participate⁶ in these demonstrations.

Q—Anything else?

A—No.

Dr. Mei said he had no cross-examination.⁷

Evidence of Chief Inspector Reeves

Question—Your full name?

Answer—Percy William Reeves.

Q—Chief Inspector S.M.P. Criminal Investigation Department?⁸

A—Yes.

¹ 自願。 ² 報告。 ³ 同德醫校。 ⁴ 以德語與我談話。 ⁵ 接北京學生會命令，舉行示威運動。 ⁶ 參與。 ⁷ 不必詰問。 ⁸ 刑事案件稽查處西探長。

Q—Were you present at a raid¹ on the Shanghai University?²

A—Yes. I was sent down to the Shanghai University with a number of men to eject³ the students and because the place was wanted for the American Navy.

Q—When was this?

A—On June 3. The students were informed that they were to vacate the premises⁴ and they were searched⁵ and then ordered to take their boxes away, which they did. The reason why the Police took this action was because the Shanghai University, since its inception⁶ about 18 months ago, has been a hot-bed of sedition and Bolshevik literature,⁷ and they have been the organisers of nearly all the strike movements in Shanghai.⁸

Q—Did you find any literature there, that was objectionable⁹ or seditious?¹⁰

A—On searching the premises we found 29 notices¹¹ calling on the Chinese Police to strike, which I will read.

Assessor (to Mr Maitland):—Before we go into this, will you please explain what connection this

¹ 搜查。 ² 上海大學。 ³ 逐出。 ⁴ 傳令學生退出學校。 ⁵ 搜查。 ⁶ 開創時。 ⁷ 陰謀與過激文字之淵藪。 ⁸ 組織上海之罷工運動。 ⁹ 不正當。 ¹⁰ 陰謀的。
¹¹ 傳單。

has with these men? You are not charging them with this.¹

Mr. Maitland:—No, I am showing the motive² at the back of all this trouble. These accused are students from Shanghai University. They are charged with rioting³ and I am entitled to show the motive which caused them to create these disturbances and trouble.⁴

Dr. Mei:—I do not see how the motive is material.⁵

Assessor:—The motive is all right, but notices calling on the Chinese Police to strike could not be a motive.⁶ Let us get down to something similar to the charge.⁷

Witness:—Amongst the letters found was a rather important document⁸ here, dated 27.5.25, 3 days before the trouble on the 30th.

Q—Will you read that out?

A—(Exhibit⁹ No. 1 read out.)

Assessor:—Who is that from?

A—It is signed by a Russian.

Q—And the poem is signed by?

A—It does not say.

¹ 非以此爲控告之理由。 ² 蓄意。 ³ 暴動。 ⁴ 應當證明他們擾亂的本意。
⁵ 本意如何，與本案無關。 ⁶ 叫華捕罷工的傳單不可算本意。 ⁷ 須與本案有關
係之證據方能提出。 ⁸ 文件 (音 dǒk'ü-měnt)。 ⁹ 訟案內之附件 (書面的證據)。

Dr. Mei objected to the admission of this evidence.¹

Witness said it showed that these documents were at the University 2 or 3 days before May 30.

Dr. Mei:—The offence charged is rioting and publishing inflammatory literature.²

Witness:—Here is a letter which shows that the students of this College are members of the Chinese Bolshevik party,³ with connections throughout the world. Some names are mentioned in this letter which are the same as those of some of the prisoners before the Court.

Q—Where did this letter come from?

A—From Germany. It is addressed to Professor Kiang, University of Shanghai, Seymour Road, Shanghai, China.

(Exhibit No. 5 here read out.)

Assessor:—Is that written in Chinese or German?

A—Chinese. The names mentioned on the paper are Chen Tou-seu.⁴

Assessor:—Is he one of the accused?

A—No. Chu Ts Pah's name is mentioned, but I do not think he is the proper Chi Ts Pah.

¹ 主張公堂不應收受此項證據。 ² 原告控告之理由爲暴動與發行擾亂治安之文字二端。 ³ 過激黨。 ⁴ 陳獨秀。

Dr. Mei again strongly objected to the introduction of this evidence¹ and the Assessor said the Court agreed with him to a large extent.² He was afraid there was no use introducing any more letters of this kind.

Mr. Maitland said it showed the motives at the back of these people for creating this trouble.³

The Court then agreed to accept the first exhibit.

Witness:—I was instructed to inform the Court that, owing to a split in the Chinese Bolshevik party⁴ this last week, these pamphlets have been distributed⁵ throughout the Settlement, which has a bearing⁶ on the motive of the trouble.

Dr. Mei again objected.

The Assessor said he still contended⁷ that the Police were making a mistake in bringing all this in, because they could not get beyond the fact that the Chinese Government had recognised a Bolshevik Government and he did not know any law, nor did the Magistrate, which went against the teachings of Bolshevism.⁸ The Police were injecting a very serious problem into the case,⁹ and he

¹ 反對將此項證據提出。 ² 審官亦認為不應提出。 ³ 可證明釀成此種擾亂之真原因。 ⁴ 因中國過激黨內部分裂。 ⁵ 散發此種傳單。 ⁶ 有關係。 ⁷ 主張。 ⁸ 中國政府已承認蘇俄政府，此項事實不能推翻，且演講過激主義，並不干犯法律。 ⁹ 將極嚴重之問題牽入本案範圍之內。

did not think it was called for.¹ The Court did not see any point in allowing these letters to go in. The Court would take judicial knowledge of the fact that the school had been before the Court previously on a charge of distributing seditious literature,² but there was no use of going any further than that.

Mr. Ho Fei, upon the Court notifying its intention to rise until the following morning,³ asked for bail for the 1st, 2nd and 3rd accused.⁴ The Assessor said he saw no reason why bail should not be granted,⁵ and the accused were allowed out on \$100 bail, each.

The Court here rose⁶ at 6.40 p.m.

Hearing resumed⁷ at 9.30 a.m. on Wednesday, June 10, 1925.

Dr. D. S. Chen⁸ announced that he, also, appeared for all the accused. Other Counsels⁹ as before.

The Assessor intimated that if the Police still wished to put in the Bolshevik literature produced by C. I. Reeves last night it would be accepted by the Court, although strictly speaking, it had

¹ 不當。 ² 該校前已被捕房控訴，指為散發擾亂治安文字之機關，本公堂業已注意。 ³ 審官示意明晨續訊。 ⁴ 請求將被告保釋。 ⁵ 並無不應保釋之理由。 ⁶ 閉庭。 ⁷ 繼續開審。 ⁸ 陳霆銳律師。 ⁹ 律師。

no bearing on the trial of these men, but that it would not be passed upon by the Court.¹

Mr. Maitland said he thought it ought to go in.

Evidence of C. P. S.² 254

Question—What is your name?

Answer—Zi Ah Kau.

Q—Are you C.P.S. 254, attached to Louza Station?

A—Yes.

Q—Do you remember Saturday, May 30?

A—Yes.

Q—What were you doing that day?

A—I was walking on the north side of Nanking Road.

Q—What time?

A—At 1.25 p.m. I walked as far as the corner of Lloyd Road. When I arrived there, I saw some students making speeches.

Q—Can you see any of the students in the Court?

A—A man wearing glasses³ was there.

¹ 陪審官 (美副領事雅克博) 宣稱昨晚捕房西探長提出之過激文字, 查與本案無關, 本公堂對於此種證據, 不能取為判斷之根據, 惟捕房如必欲提出, 則本公堂不妨暫行收受. ² = Chinese Police Sergeant 三道頭華捕. ³ 戴眼鏡.

Q—What was he doing?

A—He was talking about the strike at the Japanese Mill.¹

Q—What did you do?

A—I told him “You have already assembled quite a crowd here,² you must not make speeches.” He said “You are a Chinese, therefore you must help the Chinese.” After telling him to stop, they raised their voices and as a quarrel was going to ensue³ I did not argue with them⁴ any more but went to the station to report.

Cross-examined by Dr. Mei:—

Q—Did you arrest this man with the glasses?

A—No, I did not arrest anybody.

Q—Do you know when these men were arrested?

A—After I made the report, the Inspector⁵ came out and found other people standing making speeches and arrested them.

Q—Was this before the firing, took place?

A—About 1.50.

Q—These men were arrested then?

A—Yes.

¹ 日本紗廠之罷工事件. ² 你已聚集許多人. ³ 勢將爭吵 (音 ěn-sū).
⁴ 未與他們辯論. ⁵ 捕頭.

Q—You are quite sure about that?

A—Yes, I made a report at 1.50, but they were not arrested at that time.

Q—When were they arrested?

A—After I made the report, the Sergeant in charge of the general office,¹ asked me to go out and the Inspectors and others went out to arrest them.

Q—It would be a few minutes before 2 o'clock?

A—Yes.

Q—Did you see any of these men committing any violence² or striking anyone?

A—I did not watch them because I went to the station to report.

Q—Just before they were arrested, did you see any of them committing any rioting³ or striking or injuring anybody?

A—No, I did not see. I was not there.

Q—Where were you?

A—I went to some other place.

Q—Where did you go?

A—I went eastward along Nanking Road.

Q—You are quite sure all these men were arrested before the firing?

A—Yes.

¹ 值差之西捕。 ² 强暴之行爲。 ³ 暴動。

Q—You recognise¹ only one man, the man with the glasses?

A—I cannot recognise faces very clearly. At that time he wore a straw hat.

Q—Which one wore a straw hat?

A—I could not recognise very clearly.

Q—I put it to you,² you don't recognise him at all?

A—I know.

Q—I put it to you, positively,³ that you do not recognise this man as the particular man you saw (Wong Tsz Ching). You would not like to swear to it?⁴

A—Because I was in a hurry to go to the Station to make a report I did not see him very clearly.

Q—So you cannot say this is the man?

A—I could not recognise very clearly.

Q—In other words, you might be quite mistaken?

A—I was in a hurry to go to the Station.

Q—You were on duty at Lloyd and Nanking Roads corner about 1.50 p.m. on May 30?

A—I was passing by that place.

¹ 辨認. ² 我正式問你. ³ 確實. ⁴ 此人是否你所看見的人, 你能宣誓否.

Q—Is Louza your regular Station?

A—Yes.

Q—When you reported to the Station, whom did you see in the Station?

A—The Chief Inspector was there.

Q—Do you know his name?

A—No.

Q—Is it Inspector Everson?

A—Yes.

Q—Was Sergeant Willgoss there?

A—I do not know the names, but there was a sergeant on duty.

Q—Was the gateman¹ and his assistant² there?

A—Yes—a watchman and the assistant were in the office.

Q—And an interpreter?³

A—Yes.

Q—How many Chinese constables⁴ were there when you arrived to make your report?

A—No one, because nothing had happened. There was no constable inside.

Q—Are you sure about that?

A—No constable inside, I was there only a few minutes.

¹ 看門人. ² 幫手. ³ 繙譯. ⁴ 華捕.

Q—Any Sikhs?

A—No.

Q—Are you mistaken or was P.C. Stevens when he testified that there were a dozen to sixteen Sikhs present?

Assessor.—Let us get the time. This man was on Nanking Road, and was only in the Station a few minutes.

Dr. Mei—I am referring to 1.50 when he made his report.

Q—So far as you could see, all round the Station, you could not see any Sikh or Chinese constables?

A—The Sikhs and Chinese Police are in their rooms, not in the charge room.

Q—Which rooms?

A—Upstairs in their dormitories.¹ If you want to ask for the Sikhs you can press a bell² in the charge room and they will come down.

Q—When you reported to the Station at about 1.50, how many men did you see in the aggregate³ between Thibet Road and the Police Station?

A—More than 100. I do not know about Thibet Road. I only noticed Lloyd Road and the front of the alleyway,⁴ the Da Ching Li.⁵

¹ 宿舍 (音 dōr'mǐ-tō-riz). ² 揷電鈴. ³ 總數. ⁴ 巷. ⁵ 大慶里.

Q—Were they gathered to listen to speeches?

A—At that time they were all listening to speeches. The man who made the speeches was standing on the pavement,¹ while the listeners were standing on the road. There was so much traffic² that it was impossible for them to stand on the pavement. That was the time I wanted to drive them away.

Q—Where were you at the time of the firing?

A—I do not know.

Q—You do not know about the firing?

A—I do not know about it.

Magistrate—There is only one here in Court you can recognise?

A—No, I could not recognise, because I did not arrest myself.

Evidence of Detective Sergeant Douglas

Question—Your full name?

Answer—James Douglas.

Q—Detective Sergeant,³ S.M.P., attached to Louza?

A—Yes.

Q—Can you tell me what these are?

A—Pamphlets⁴ which came into my possession on Saturday, May 30.

¹ 步道 ² 行人. ³ 偵探. ⁴ 傳單.

Q—How did you get them?

A—I collected all the pamphlets brought in by various Police.

Q—Is there a translation?¹

A—Yes, this is it.

Cross-examined by Dr. Mei:—

Q—Did you find any of these pamphlets on the person of any of the accused?²

A—No.

Q—You simply collected them from the Police as they came into the Station?

A—Yes.

Q—You do not know from whom they originated?³

A—I do not know.

Mr. Maitland:—As far as these charges are concerned, that completes the case against these men, subject to the inclusion of the Bolshevik literature produced yesterday.⁴

Continued Evidence of C.D.I. Reeves:—

Question—Yesterday you produced⁵ some literature found at the Shanghai University. The Court has now decided that it should go on the record.⁶ Will you produce it again?

¹ 譯文。 ² 傳單是否在被告身上搜得。 ³ 出處。 ⁴ 捕房控訴各被告之證據現已終結，惟過激文字須仍作為證據。 ⁵ 提出。 ⁶ 列入案卷之內。

Answer—Here is a copy of notices, of which a quantity was found in the Shanghai University. The first is a notice to employees of the Water Works and the Electricity Department.¹

Q—What are those notices about?

A—They call on the employees of the Water Works and Electricity Department to go out on strike.² There is another one here addressed to the Chinese Policemen, and another one addressed to the employees of the Tramway Co., chauffeurs,³ and ricscha coolies.⁴ There are 300 to the employees of the Water Works and Electricity Department, 100 to Tramway men, chauffeurs, and ricscha coolies, and 30 to the Chinese Police. The next document is a letter addressed to Professor Kiang, which was read yesterday. Here is a circular,⁵ copies of which were distributed in the French Concession on June 6, drawing the attention of the public to the split between the Bolshevik party and the Kuomintang.⁶ The next is a translation of an unposted letter⁷ addressed to all secondary and primary schools in a district, the district of Ying Zin Hsien, Szechuen, all found at the Shanghai University. The next document is a letter addressed to Pak Kwen at the Commercial Press,

¹ 致自來水公司及電氣處之傳單。 ² 叫他們罷工。 ³ 汽車夫 (音 shō'fōr')。

⁴ 人力車夫。 ⁵ 通啓。 ⁶ 國民黨。 ⁷ 未付郵之信。

Paoshan Road. There is also a translation of a document issued by the Central Executive Committee of the Kuomintang party¹ of the fourth district of Shanghai. This is simply a receipt for subscriptions to the funeral of the deceased workmen.²

(Exhibits Nos. 2 to 10 handed in to Court).

Cross-examined by Dr. Mei:—

Q—Did you find these documents on the persons of these accused, or in their effects³ or boxes?

A—No, they were found in a room which, I suppose, would be the watchman's office.⁴

Q—It is not an integral part of the premises?⁵

A—It is the place where they post their letters⁶ and there is a rack⁷ there for the students to come and get their letters. Of course, the posters calling on the different people to strike⁸ were found in the actual office of the university.

Q—Which office?

A—The main office in the main building.

Q—You cannot say that these were printed on the premises,⁹ or that these men had anything to do with the printing?

¹ 國民黨中央執行委員會。 ² 慘死工人治喪費捐款收據。 ³ 文件在被告身上搜出，或在行李中搜出。 ⁴ 門房。 ⁵ 是否校內之一部份。 ⁶ 寄信。 ⁷ 信箱。 ⁸ 運動罷工之招貼。 ⁹ 在校內印刷。

A—No, but they have a publicity department¹ which is mentioned in some of the letters.

Q—They may have a publicity department, but can you say that these men printed or published or distributed these?

A—No.

Q—In other words, all this literature that you have presented in Court, you cannot tie it up directly with the charges² before the Court.

A—Not directly, no. Not on the charge of rioting.

Q—When you raided the premises of this university,³ did you obtain a warrant from this Court?⁴

A—There was a warrant issued,⁵ I understand. It was read out to the students. I think it was signed by the officer commanding the defence forces of Shanghai under the Emergency Proclamation.⁶ I am not quite sure.

Q—It is not a warrant of this Court, or from the French Mixed Court?

A—No, I do not think so. I saw it. Captain Martin read it out to the students.

¹ 宣傳部。 ² 不能指出此種文件與控告理由之關係。 ³ 搜查學校。 ⁴ 曾否向法院取得搜查票。 ⁵ 發出。 ⁶ 上海非常戒備總司令。

Q—What was the nature of this document?¹
Where was it obtained from and what were its contents?²

A—I think you should get Captain Martin to give that evidence.

Q—You were one of the raiders³ at this university?

A—I was under Captain Martin

Q—You heard the reading of this document?

A—Yes.

Q—Cannot you tell us the gist of the contents,⁴ and by whom it was issued?

A—I would rather not say, because I am not certain of the point and I might say something that is not absolutely correct.

Q—Subject to correction.⁵

A—Subject to correction, it was a document addressed to the Shanghai University. Be it known that the students of this University, having participated⁶ in certain riots in the Settlement that the Defence Forces⁷ of Shanghai find it necessary to eject the students⁸ and the place will be used as a temporary barracks for the U. S. Navy.⁹ I must

¹ 是那種性質的公文 ² 由何處取得，內容如何。 ³ 搜查者。 ⁴ 內容之大概。 ⁵ 以後儘可更正。 ⁶ 參與。 ⁷ 保衛軍。 ⁸ 逐出學生。 ⁹ 美國海軍臨時駐所。

state that I am not fully aware of the wording of this document and it can be produced.¹

Q—Where is this place located?

A—132 Seymour Road.

Q—In the Interational Settlement?

A—Yes.

Q—Did you also raid the Southern University?

A—No.

Q—This is the only place you assisted to raid?

A—Yes.

Q—This raid must have been carried out under somebody's authority.²

A—Yes, it was carried out under the authority of the Commandant of the Defence Forces, as an emergency measure.³

Q—When was the Proclamation of the State of Emergency published?⁴

A—I could not tell you off-hand.⁵

Q—Would you say the raid was carried out after the publication of the State of Emergency?

A—I could not tell you.

Q—So far as you know, it may have been before?

¹ 該項文字之字句我記不得，但能將公文呈案。 ² 由何人命令。 ³ 緊急的辦法 ⁴ 非常戒備之命令。 ⁵ 不能立時答復。

A—It could not have been before the state of emergency was declared. The warrant was issued under the state of emergency.

Q—Who issued the warrant?

A—It was signed by Colonel Gordon.

Q—In other words, it is not a judicial process⁵ at all, it is a military document.⁶

A—I do not know whether you would call it judicial or not.

Q—By a judicial process, I mean a document issued by either of the Mixed Courts.

A—No, it was not issued by the Court.

Q—Do you know who owns the building?

A—No.

Q—So that the raiding of the place and its subsequent taking over⁷ as barracks for American Sailors was entirely done under military authority?

A—I do not know whether the word military should be used. It was as much naval as military. It was otherwise than civil.⁸

Q—Were the owners of the place notified?⁹ Was this document read to the owners?

A—We went there and asked for the head of the school, that is the professor or the head-

¹ 非法庭之手續, ² 乃軍事命令, ³ 以後的佔領, ⁴ 非屬於文官的, ⁵ 知照,

master,¹ or the highest man of the school, we were told that everybody in authority was out.² One student came forward and the notice or proclamation³ was read to him and he was told to advise the other students of the college.⁴

Q—The proclamation was not read to the owners of the building?

A—No, unless the man we read it to was the landlord.⁵

Q—You already stated he was a student, consequently⁶ no attempt was made to read it to the owners?

A—Unless he was the owner. I do not know whether he was the owner or not.

Mr. Maitland here informed the Court that that completed the case against the accused.⁷

Dr. Mei was now permitted to recall Inspector Everson for cross-examination.⁸

Cross Examination of Insp. Everson

Question—Will you kindly relate again when you first knew about this trouble on May 30th?

Answer—1.55 p.m.

¹ 校長。 ² 職員均不在校。 ³ 告示。 ⁴ 令彼通知其餘學生。 ⁵ 房東。 ⁶ =therefore 然則。 ⁷ 捕房律師梅脫蘭向公堂聲稱，原告證據已終結。 ⁸ 公堂允許梅華銓律師再向捕頭愛活生詰問。

Q—How did you know?

A—A telephone message came from the charge room to my quarters.¹

Q—That was in consequence of a report made by someone else?²

A—By C. P. S. 254.³

Q—Upon receipt of the report, what action did you take?⁴

A—I went down to the charge room. I saw S. I.⁵ Shellswell in his quarters and told him to put on his tunic⁶ and come down to the office at once.

Q—What happened?

A—We went to the office, and then I, with Shellswell and the Chinese sergeant went out on Nanking Road.

Q—Then what happened?

A—As soon as I arrived on Nanking Road, I saw a crowd opposite Lloyd Road.

Q—About what time did you arrive there?

A—A minute or so before 2 o'clock.

Q—At that particular moment what do you estimate was the size of the crowd?⁷

A—80 to 100.

¹ 案室有電話到我的住所。 ² 因有他人報告。 ³ =Chinese Police Constable 254 第254號華捕。 ⁴ 接到報告後如何辦法。 ⁵ =Sub-Inspector 副捕頭。 ⁶ 號衣。 ⁷ 此時羣衆人數若干。

Q—What were they doing?

A—The crowd was standing on the roadway, and on the footpath¹ were several students, maybe a dozen, maybe more.

Q—Amongst these 80 to 100 how many students were there?

A—I would be sure there was 12, there might have been 20.

Q—12 to 20?

A—Yes.

Q—What was the complement of the crowd?²

A—Ordinary people passing along on a Saturday afternoon, some coolies—a mixed crowd.

Q—So far as you could see, the crowd was orderly.³

A—Yes.

Q—No banners?⁴

A—Some of the students had, not the crowd.

Q—About how many banners did you see in the hands of the students?

A—About 10.

Q—What did you do with respect to the crowd?⁵

¹ 步道. ² 其餘的是那一種人. ³ 守規則. ⁴ 沒有旗幟. ⁵ 如何對付羣衆.

A—I saw one student making a speech. I went up and questioned him.

Q—You took this man to the Station?

A—Yes.

Q—What happened then?

A—Two or three others were arrested by other Police officers. They came in together. In the Station I asked him the nature of the speech.¹ He said “Anti-Japanese.” I asked the others the nature of the demonstration.² They said “Anti-Japanese.”

Q—They did not say anything about it being anti-British or anti-foreign in general?

A—No, anti-Japanese.

Q—Let us go directly to the point. What was happening at 3.15?

A—At about 3.15, we had just cleared the charge room³ or were in the act of doing so. We got the crowd out from the Station, and the station approaches⁴ to the Nanking Road with much difficulty.

Q—How many police were in the Station at the time?

A—I myself, one other foreigner—I think it was Sergeant Papp, perhaps 3 Sikh policemen, and

¹ 演講的性質。 ² 示威運動。 ³ 將審問室內之人驅出。 ⁴ 通至捕房之路。

there were more continually coming in. When I gave the order to clear the charge room, there were no more than 6 policemen in the charge room including myself.

Q—Were there any reserve policemen¹ upstairs?

A—Not at that time. They were all out on the Nanking Road and vicinity,² trying to keep the crowds moving and breaking up meetings.

Q—Were there any servants or coolies, the gateman or the interpreter³ there?

A—The gateman, his assistant and the interpreter were there.

Q—Are they members of the Police Force?⁴

A—Yes.

Q—Were there any coolies?

A—In the charge room, no.

Q—How about Louza compound?⁵

A—They might have been in their own quarters⁶ which are at least 50 yards away from the charge room.

Q—Normally,⁷ how many would there be in the place?

¹ 後備的巡捕(落差者). ² 左近. ³ 翻譯. ⁴ 是否捕房之職員. ⁵ 捕房之境內. ⁶ 住所. ⁷ 平時.

A—We have 9 station coolies, and you would probably get half of them there at any given time.

Q—Subject to your orders¹ without any question?

A—Yes.

Q—After clearing the Station, what happened?

A—We then worked the crowd eastwards along Nanking Road.

Q—What size was the crowd then?

A—At that time, I should say, it was maybe 900 to one thousand, it might have been 800 to 1,000.

Q—This 800 to one thousand people were in front of the Station?

A—When I cleared the Station, there were nearly 200 inside it.

Q—So that outside there would be 600 to 800?

A—Yes.

Q—They would occupy the square in the roadway between Lloyd Road and Nanking Road?

A—That is west, not east.

Q—Well, between the Station and Kweichow Road?

¹ 服從你的命令。

A—Yes, it was according to the density¹ of the crowd. They were further down than that, near the Town Hall.

Q—That was about 3.15 or 3.20?

A—It took us 10 minutes to get them out on the road, so that it would be getting on to 3.25.

Q—This crowd of from 800 to 1,000 were no further than between the Station and the Town Hall?

A—I should judge that.

Q—You could see beyond those points that there was no crowd?

A—Oh, yes. They were coming from all the side streets but they had not actually joined the crowd I was dealing with at that time.

Q—When was the firing ordered by you?²

A—3.37. p.m.

Q—At 3.37 what was the size of the crowd?

A—I should judge it would be at least 2,000.

Q—Occupying the same area?

A—No, a much greater area.

Q—From where to where?

A—At the actual time of firing, they occupied from near the Station gate as far as I could see, down to Chekiang and Nanking Roads corner.

¹ 秘密. ² 你何時發令開鎗.

Q—Then, to the west of the station, there was comparatively no crowd?

A—There was—gathering—there was over 100.

Q—The roadway at that point is about 60 to 70 feet wide?

A—60 feet I should say.

Q—Beyond the east of the Chekiang Road?

A—I could not see as far as that, it was like a snowstorm with pamphlets and flags.¹ I could just see the top of the tram shelter² over the heads of the crowd.

Q—In any case,³ at 3.37, there were no more than about 2,000 people?

A—I would not say there were not more. I judged about 2,000.

Q—In your judgment, when did the crowd become uncontrollable?⁴

A—Absolutely uncontrollable, less than 3 minutes before the firing, or about 3 minutes.

Q—That was about 3.34?

A—Yes.

Q—How many people did you have with you at the Station?

¹ 但見旗幟與紙張紛紛飛揚，如下雪一般。 ² 電車頂。 ³ 不論怎樣。 ⁴ 不受約束。

A—Actually at the Station gate, I had 11 Sikhs and 12 Chinese.

Q—Any others?

A—No.

Q—No foreigners?

A—Not at the Station gate. The foreigners and the remainder of the available men¹ were in the crowd trying to keep them back. This was the emergency party² I had armed and kept at the Station.

Q—That emergency party is always on duty?

A—No, I picked them up as they were coming to the charge room and told them to stop.

Q—At what hour would you say the emergency party was completed?

A—About 2 minutes before the firing. I took all the numbers after the firing was over.

Q—When you saw the crowd had become absolutely uncontrollable about 3.34, did you send any call for reinforcements?³

A—No. Wait a minute, I must explain that answer. In my opinion, when the crowd became utterly unmanageable,⁴ I decided that what was to happen was going to happen where I stood, and

¹ 其餘的人員。 ² 臨時召集的人員。 ³ 援助。 ⁴ 完全不能管束。

it was going to happen quickly, and that I had no time to go in to send any message.

Q—There was an interval of 3 or 4 minutes between the moment when you judged the crowd to be uncontrollable and the actual firing?¹

A—That interval was employed by the crowd in beating at the Police in front of them, and it might have happened that I had to fire before I did.

Q—At which moment did you see that the crowd was so dense that it could not retreat backwards² even if it had wanted to?

A—When they got within 5 yards of the gate.

Q—That was about 3.34?

A—Later than that, almost on the point of firing.

Q—3.35?

A—Yes, or 3.36. I was almost on the point of firing.

Q—You say then, that there was no opportunity for you to send for assistance?³

A—No time.

Q—Did you make an attempt to?

A—I did not leave the Station gate.

¹ 你斷定羣衆不受約束之時至開鎗之時，其間相隔三四分鐘。

² 向後退。

³ 求援。

Q—Did the thought ever occur to you¹ to send for reinforcements?

A—Yes, if I thought I could have got 4 or 5 minutes to telephone in,² I would have run back.

Q—You did not have to do that yourself, inspector. You could have ordered any number of people to do it.

A—It would take 3 minutes to explain what I wanted to a Sikh and then, probably, it would not have been done correctly.

Q—When did these constables,³ Stevens and Cole, join your party before the Station?

A—Just on the point of firing. I waited for them to get clear⁴ before firing.

Q—Would you say there was an interval of about 1 minute⁵ from the time you saw them until you told them to get behind the Sikhs?

A—No interval whatever. They were in the crowd and as soon as they came up against me, I shouted out "Stand clear"⁶ but the crowd was with them, they were mixed up with the crowd.

Q—At that time, was the sergeant on duty⁷ at the station in the charge room?

¹ 曾否想到。 ² 如尚有四五分鐘可打電話。 ³ 西捕 ⁴ 叫他們避開。 ⁵ 約有一分之時間。 ⁶ 避開。 ⁷ 值差之巡捕。

A—Yes, as far as I am aware.¹ He should have been there.

Q—From where he stood in the charge room, could he command a view of the gate?²

A—No, there is a building between him and the gate.

Q—Did he know about this disturbance³ outside?

A—Yes.

Q—He knew you had collected this party of 11 Sikhs and 12 Chinese?

A—No, he could not have known that.

Q—Is he in Court?

A—No.

Q—He sat at the desk all the time and did not come to your assistance?⁴

A—I could not say whether he was walking about the compound or came out to the gate. I do not know; he was supposed to be in the charge room.⁵ His place was in the charge room and he should have stayed there.

Q—When did you arrest these accused, before or after the firing?

¹ 依我所知者。 ² 能否望見捕房之門口。 ³ 擾亂。 ⁴ 未出來幫助你。 ⁵ 觀例他當在寫字間內。

A—Before, except that some were discharged from hospital,¹ and would be arrested afterwards. 46 was the actual number I put in the cells.²

Q—Was there one man arrested about 6 minutes before the shooting?

A—The man with the deformed nose³ (Chu Ching Pah). He was dodging in the crowd,⁴ whipping them up and seemed to be crazy altogether.⁵ I tried to get him then. I saw he was a man who would make a great deal of trouble for me if I did not get him.

Q—Saturday was a half holiday?

A—It generally is.

Q—Where were most of the Police Officials, the higher command?⁶

A—I believe Captain Martin was on the Race Course.⁷ I did not see him.

Q—Did any Police reinforcements⁸ come to your assistance?

A—After the firing, yes; before this firing, no. No outside help came from any other Station. The only help I had was my own Station.

¹ 由醫院中放出。 ² 共拘四十六人。 ³ 塌鼻梁。 ⁴ 跳來跳去。 ⁵ 激動羣衆，狀如發狂。 ⁶ 警務處之上級職員。 ⁷ 跑馬廳。 ⁸ 援助。

Q—If the Police had attacked this crowd of about 2,000 from the back, using batons,¹ or, if they had attacked them on the flank,² could they have been dispersed?³

A—Yes, probably up to 3.30, I believe they would have been.

Q—So far as you know, no attempt was made to disperse them from behind or from the flank?

A—No.

Q—Coming to 3.36, is that the time you gave the warning?

A—No, right on the point of firing.

Q—I think you stated yesterday, that your warning was in Chinese “Ding, ding, veh ding-ts meh iau tang-sah,” accompanied by waving your pistol?⁴

A—Yes.

Q—You said that in the same tone of voice as you are now testifying in?

A—A little more emphatic.⁵ I thought I was shouting loud, but I had been shouting from 1.55. I thought I was making an awful noise.

Q—During an hour and 40 odd minutes, you had been shouting and your voice was rather hoarse?⁶

A—Yes, from shouting all the time.

¹ 警棍. ² 側面. ³ 解散. ⁴ 同時舉鎗示威. ⁵ 較響亮. ⁶ 嗓子毛糙.

Q—Your voice, ordinarily,¹ is just pitched at this range?²

A—Yes.

Q—Would you imitate³ how loudly you shouted?

The Assessor here intimated that this was not necessary.⁴

Q—How far do you estimate your voice could carry,⁵ from the point you were standing at?

A—A very little distance on account of the noise the crowd itself was making.

Q—Would you say about 10 feet?

A—Maybe about that.

Q—At that time you knew the crowd could not retreat from in front⁶ if they wanted to?

A—I knew at that time that they were going to rush us.⁷ I made up my mind by the action of the crowd that they were actually rushing us.⁸

Q—I believe you stated that when you ordered constables Stevens and Cole to stand clear,⁹ the crowd in front of you was five or six yards away?

A—Yes, coming on all the time.

¹ 平時。 ² 高低是否與現在的聲音相同。 ³ 做作。 ⁴ 陪審官謂不必如此。
⁵ 你的聲音能傳到多遠。 ⁶ 此時已知前列的人不能退後。 ⁷ 向我們衝。 ⁸ 就羣衆之舉動觀之，可斷定他們向捕房衝進。 ⁹ 叫他們避開。

Q—Gradually?¹

A—No, at that time they were coming on at a rush.²

Q—You knew that if you ordered fire at that time the firing would kill those in front?³

A—Yes.

Q—You also realized⁴ that if you gave the order to fire, you would inevitably kill innocent men who were caught in the maelstrom of the crowd?⁵

A—In my mind, that was quite possible.

Q—And that thought did not give you any hesitation⁶ whatever?

A—No, none whatever. There was another possibility,⁷ too. There were four or five tramcars held up.⁸ There were foreigners⁹ in all these tramcars. There were motor cars¹⁰ held up with foreigners in them, men and women. They, also, were in danger of being shot and I never hesitated.

Q—Where were these tramcars or motor cars, with men, women and children?

A—About four trams had been stopped between the Station gate and the east end of the

¹ 漸漸。 ² 衝進。 ³ 如發令開鎗，則前立者必被鎗擊死。 ⁴ 知道。 ⁵ 則在羣衆中間無辜的人民必要被殺 (maelstrom 音：ā' trɔ̃)。 ⁶ 遲疑。 ⁷ 可能的。 ⁸ 有電車四五輛被阻住。 ⁹ 外國人。 ¹⁰ 汽車。

Town Hall where they had been stopped by the crowd.

Q—Did the crowd cover¹ the cars?

A—They were surging all around them,² but the head of a man would not reach to the window of a car, in fact, some shots entered the Municipal Library³ where a woman was sitting.

Q—Is there a megaphone⁴ at the Police Station?

Mr. Maitland:—No, there is not a jazz band⁵ either.

Q—Your voice was quite hoarse?⁶

A—Fairly hoarse—as hoarse as a man's voice would be after shouting for two hours.

Q—You shouted this warning⁷ to the crowd?

A—I thought I was making a great noise. I do not know whether I was or not.

Q—There was no instrument⁸ or anything to make your voice louder at the time?

A—No.

Q—You did not use your hands?

A—No.

¹ 遮住。 ² 在車之四週擁擠。 ³ 工部局藏書室。 ⁴ 傳聲之大號筒(如運動會中用以報告比賽結果之器)。 ⁵ 西樂隊(按此語係嘲笑之詞)。 ⁶ 毛糙。 ⁷ 警告。
⁸ 器具。

Q—You gave the order to fire at 3.37?

A—Yes.

Q—One volley¹ or two?

A—Two.

Q—What was the interval of time?

A—The volleys were very ragged² I should judge "Fire, ready, present, fire"³ about 3 seconds. They were at the present and I gave the order "Fire, ready, present, fire." As I said, the volley was very ragged because only one or two men in front would hear, and the others would follow on.

Q—Where was the firing squad⁴ standing, inside the compound or outside?⁵

A—Some of them as much as 4 feet from the gate, others were right against the Station gate. The Sikhs were on the right and the Chinese on the left.

Q—You were afraid of being rushed?

A—I was, yes.

Q—How wide is this gate between the two pillars?⁶

A—Perhaps 15 or 16 feet.

¹ 排鎗. ² 不齊. ³ 此乃捕頭令巡捕開鎗之語 (present 音 prē-zent¹ 舉鎗開準). ⁴ 開鎗之巡捕. ⁵ 在捕房境內或境外. ⁶ 兩個柱子相距若干.

Q—If the 11 Sikhs and 12 Chinese and yourself were to stand abreast,¹ right at the gate, behind the gate, in close rank,² could you have been rushed by the crowd?

A—There was no time to get behind the gate. If the crowd got amongst the carbines before we fired we were done.³

Q—What carbines do you refer to?

A—The carbines, the Sikhs and Chinese were armed with.

Q—You could have ordered them to retreat just as you order the two foreigners to retreat?⁴

A—Any movement at that time was dangerous⁵—any movement whatever was dangerous.

Q—If any movement at that time was dangerous, why was the order to the two foreigners to get behind the Sikhs not dangerous?

A—It was dangerous, certainly it was dangerous.

Q—Did they get safely behind the Sikhs?

A—Yes, but it was dangerous.

Q—At the very second of firing how far was the crowd from the Station gate?⁶

¹ 並肩而立。 ² 排緊。 ³ 如被羣衆擁至長鎗中間，則勢必危殆 (carbines 音 kār'hīns) ⁴ 你既可令西捕退後，何以不叫他們亦退後。 ⁵ 當時任何動作都很危險。 ⁶ 開鎗之頃，羣衆離捕房多遠。

A—Say six feet, perhaps less, perhaps four feet, not more than six feet.

Q—Did the firing squad have fixed bayonets?¹

A—No.

Q—Did it occur to you that if you ordered them to present arms you could have held the crowd at bay?²

A—They were ready at the present arms.

Q—When did you order them to do that?

A—Just when the crowd was about 10 yards away, coming on.

Q—And the actual shooting was inside the gate or outside the gate?

A—Outside the gate.

Q—All these Sikhs and Chinese were outside?

A—Yes. Some of them, perhaps were level with the gate,³ but I do not think any of them were inside.

Q—You have been in the Police Force in Shanghai for a long period of time?

A—19 years next month.⁴

Q—And from your experience of 19 years in the Police Force, that would teach you that

¹ 裝好的鎗刺 (音 bā'ō-něts). ² 曾否想到叫巡捕舉鎗瞄準, 即能將來擊住. ³ 捕房門口成一直線. ⁴ 到下月為止是十九年.

whenever there is any trouble, usually a Chinese crowd of curious people would collect?¹

A—Yes.

Q—That would be irrespective of whether they are participants in the riot or not,² simply curious at seeing some commotion and coming to see what is going on.³

A—Yes.

Q—On the day after the shooting, the Police got out some fire hose,⁴ did they not? Fire engines⁵ were got out to play a fire hose on the crowd?

A—Two days afterwards.

Q—The Fire Brigade did not use the fire hose until two days afterwards?

A—No.

Q—No attempt was made to use the fire hose on this crowd?

A—No.

Q—I mean about 3.30.

A—No.

¹ 華人性好奇，不論有何事情發生，都喜往觀看。 ² 不問他們是否參與暴動。 ³ 但見有即上前觀看。 ⁴ 救火用之皮帶。 ⁵ 救火車。

Q—Do you know whether on May 30 student-parties were making speeches all over the Settlement?

A—I know now.

Q—In all the other Police districts except Louza, it was comparatively quiet?¹ No disorder,² no rioting?³

A—Not that I am aware of.

A—No, the only reason I can give is this: that it must have been the bravest spirits amongst them⁴ who would go up, right up against the station gate, to start a meeting and the people in that crowd were probably very much braver than the others. That is my opinion.⁵

Q—Is that your case?

A—I am answering your question to the best of my ability.

Q—The Station fire hose could have been utilized?⁶

A—Not in the time given us.

Q—Had the thought of utilizing it ever occurred to you?⁷

A—No.

¹ 比較的安靜. ² 無擾亂. ³ 無暴動. ⁴ 學生中最勇敢之份子. ⁵ 我的意見. ⁶ 可用. ⁷ 曾否想着.

Q—If you had thought of it, you could have ordered some of the Chinese coolies or the gate-man and his assistant to bring out the hose?

A—Not in the time given me. If I knew at 2.30, or 3 o'clock, 3.15 or even 3.25, that the crowd was going to turn as they did, I would certainly have used the fire hose.

Q—That is what you think now?

A—It would have been my duty.

Q—Between 1.50, when the first report was made, and 3.37, when the order to fire was given, that is about 1 hour and 40 minutes, no preparation was made, either to get reinforcements¹ or to utilise the fire hose?²

A—None was necessary.

Magistrate:—I want to ask you one question, and I hope you will think over it before giving your answer. If the shots were fired against the legs of the crowd, do you think the crowd would be dispersed?³

A—It is dead against my instructions.⁴ My instructions are not to fire until the last resource,⁵ but when I shoot, shoot to kill.⁶ Those are my instructions and I must obey them.

¹ 援助。 ² 利用救火皮帶。 ³ 解散。 ⁴ 適與我上峯之命令相反。 ⁵ 非至無法可想之時，不得開鎗。 ⁶ 既開鎗，則可將人擊斃。

Q—So if the firing had been against the legs of the crowd, it would be against your instructions?

A—Yes, it is against my instructions.

Assessor:—There has been a lot of cross-examination on the point that the crowd could not go back after hearing the order to go back. It seems to be taken for granted¹ that the crowd was standing absolutely still. Will you explain what the crowd was doing? The questions seem to be based on the idea that the crowd was standing still.

A—The crowd was not standing still. The crowd at that time was running. It was on a half run to the Station.

Assessor:—So there was not a semicircle² of men standing still, whom you were telling to go back?

A—No, only once the crowd stopped, that was on the east side of the Town Hall where they stopped for a perceptible time³—4 or 5 seconds, no more. From that time there was no holding them⁴ until the actual firing, not the slightest attempt was made by anybody to halt⁵ as far as I could see.

¹ 假定. ² 半圓形. ³ 有頃. ⁴ 不能阻住他們. ⁵ 站住.

Dr. Mei:—Did he fire into the air before the actual firing?

A—There was no question of that at all.¹

Mr. Maitland:—Can you give us your reason for not firing into the air?

A—The same reason as for not firing at the legs of the crowd—it is against my instructions.

Q—What is the reason of your instructions?

A—If I shoot into the air, it is liable to injure innocent people.² If I shoot at their legs, the bullets are liable to ricochet³ and kill innocent people.

(Court here adjourned⁴ at 11.57 a.m. and resumed the hearing⁵ at 2 p.m.)

On the resumption in the afternoon, Dr. Mei asked the Court to send for Mr. Arthur Covey, the British Solicitor,⁶ to come to the Court as a witness for the defence.⁷ The Assessor instructed the Registrar accordingly.⁸

Dr. Mei, in opening the case for the defence:— I am at the disadvantage of not having been in Court yesterday morning when the case was opened, on behalf of the prosecution,⁹ so I did not hear

¹ 意謂此誠無答復之必要。 ² 傷害無辜之人。 ³ 跳起 (音 rǐk'ō-shā'). ⁴ 閉庭。 ⁵ 繼續開審。 ⁶ 英國律師克威。 ⁷ 被告之證人。 ⁸ 陪審官即令書記照辦。 ⁹ 昨晨原告控案開始時，余未到庭，殊覺不便 (prosecution 音 prōs'ē-kū'shàn).

what Mr. Maitland had to say, but he informed me that in his opening statement,¹ he laid the whole thing or the main cause of the strike or trouble, to Bolshevik influences.² Of course up to 1.45 p.m. yesterday I was not engaged in this case,³ nor did I have any official or legal connection⁴ with any of the students or any student body in Shanghai in respect to this matter⁵ before the Court. As I say, it was at 1.45 yesterday that I was asked to come to Court. Before that I had never seen any of the defendants,⁶ nor had I seen any of the papers in connection with this case. It was, therefore, with utter unpreparedness⁷ that I came to Court and made my application for a remand which was refused by your Honours.⁸ Up to last night I had never seen any of the accused,⁹ nor had I seen any of the people alleged to be Bolshevik leaders,¹⁰ or the Bolshevik influences of the movement. But, from what I have been able to learn, I think I am justified in characterising this statement that the strike and these troubles were caused entirely by Bolshevik or started by Bolshevik influence—I deny that statement.¹¹ Furthermore, having regard to the excited

¹ 開始之陳述。 ² 全案(或罷工)之主因, 爲過激黨之勢力。 ³ 與本案未發生關係。 ⁴ 職務上或法律上之關係。 ⁵ 關於此事。 ⁶ 被告。 ⁷ 未曾預聞。 ⁸ 曾請求展期, 未蒙堂上核准。 ⁹ 被告。 ¹⁰ 被指爲過激黨之領袖者。 ¹¹ 外人都說這次的罷工運動, 是過激黨所主使的, 我不能承認這句話。

feeling and the passions aroused in this community,¹ in fact all throughout China, by this incident² I think it is due, in justice to these accused as well as the strikers, to state that this movement is not anti-foreign in character.³ There may have been one group of students who had radical ideas⁴ and who had received certain Bolshevik communications from abroad, but my opinion and instructions are, that the large body, the great majority,⁵ of these strikers, are not influenced in any way by Bolshevik influences or anti-foreign sentiments⁶—that insofar as those students have felt a grievance in seeing their fellow-students arrested⁷ for what they consider, rightly or wrongly—arrested for a reason which they deemed insufficient or against their patriotic notions,⁸ it is a patriotic movement. We are living in a different age from that of 1900 during the Boxer troubles.⁹ There were different methods to deal with the Boxers. We are dealing with the day of the League of nations and a better world-conscience and better world forces have come into play.¹⁰ I think it is a great mistake and injustice to characterize this patriotic movement as anti-foreign and Bolshevik in

¹ 激昂的羣情。 ² 事變。 ³ 且須代被告及罷工者聲明，此次的運動，並無排外的性質。 ⁴ 激烈的思想。 ⁵ 大多數。 ⁶ 過激或排外的思想。 ⁷ 見同學被捕，引為奇恥。 ⁸ 無充足之理由，且違反愛國的觀念。 ⁹ 拳匪。 ¹⁰ 現在國際聯盟已經成立，世界各處之人心與作為，日趨高超之境。

origin.¹ Just before I came into Court I was told by several members of the Police Force—I will not mention any names—that my conduct of this case has shown personal venom directed against Inspector Everson.² I wish now to disavow any personal venom or personal animosity³ to any member of the Police Force. As I said yesterday, I came into this case at a very belated moment,⁴ knowing nothing about the pros and cons of the case.⁵ Until Inspector Everson stepped into the box I did not associate him with Inspector Everson.⁶ Of course I have practised⁷ in this Court for a number of years and have known him personally, but I did not associate him with the name of Everson and I was simply engaged with the idea of bringing out the facts on behalf of the defence.⁸

As Your Honours⁹ have stated, this is a Court constituted to try these accused on the charges before you,¹⁰ and it is not an enquiry into the political aspects of the whole situation,¹¹ so that if the Police had any idea that I was prosecuting¹² them or any particular member of the Force in

¹ 稱此次愛國運動爲過激，爲排外，乃極大之錯誤，且爲不公平之事。² 余辯護此案之方法，似有怨毒之心，專對捕頭愛活生而發者。³ 我現在否認惡意或仇視之心。⁴ 爲時已晚。⁵ 本案正面和反面之理由。⁶ 直至 Everson 立入證人欄內之時，始信此事人之名乃 Everson。⁷ 出庭。⁸ 專心欲將被告方面之事實提出。⁹ 指審官。¹⁰ 本堂專審捕房控訴之案。¹¹ 並非研究本案在政治上之關係。¹² 控訴。

conducting this case, I wish to state now that it is an erroneous idea,¹ and I want to have their minds disabused entirely of or any particular member of the Force in conducting this case, I wish to state now that it is an erroneous idea, and I want to have their minds disabused entirely of that idea.² As a practising member of this Court, I am only concerned with bringing out the facts and, as an American citizen, that is my sole aim³ and there is no other consideration that prompts me in conducting this case,⁴ and while I am of Chinese descent,⁵ my personal feelings do not enter into the matter at all. It is entirely a matter of law and I only want to bring out the facts. It is because I felt and understood and was instructed that this was not an anti-foreign nor Bolshevik movement that I objected yesterday, very strenuously,⁶ to the admission of Bolshevik literature into the evidence.⁷ I think, also, that in making this statement, I am voicing the feelings of my colleagues⁸ who are with me in this case. I shall now call the first witness for the defence,⁹ Mr. S. R. Anderson.¹⁰

¹ 誤會。 ² 請捕房之人員排去此種誤會之觀念。 ³ 我惟一之目的。 ⁴ 擔任此案並無他種理由。 ⁵ 本來係中國種。 ⁶ 竭力反對 (音 strēn'ū-ūs-lī)。 ⁷ 收受過激文字爲本案之證據。 ⁸ 同事者 (即被告方面之其他律師, 音 kōl'ēg)。 ⁹ 被告方面之證人。 ¹⁰ 華名爲安迪生, 上海蓋理公會之教士。

**Evidence of Sidney Raymond Anderson, American,
35 years of age, of Shanghai, missionary,¹
Methodist Episcopal Church South²**

Question—How long have you been in China?

Answer—11 years.

Q—How long in Shanghai?

A—3 years.

Q—Are you connected with any local church or mission?³

A—The Moore Memorial Church.⁴

Q—Situated where?

A—On the corner of Hankow and Yunnan Roads, opening out to Thibet Road.

Q—You speak Chinese and understand it?

A—Yes.

Q—Are you an-ordained minister?⁵

A—Yes.

Q—Can you preach in Chinese and use the language fluently?⁶

A—Yes.

¹ 教士. ² 監理公會 (教會名). ³ 本地之教堂或教會. ⁴ 慕爾堂 (教堂名, 在雲南路漢口路轉角). ⁵ 正式之教士. ⁶ 能操華語演講聖經 (fluently 贊 flou'-ent-ly).

Q—On Saturday May 30, where did you take your tiffin?¹

A—The Navy Y. M. C. A.²

Q—About what time did you finish your tiffin there?³

A—Approximately⁴ 2 p.m.

Q—What did you do after that?

A—I took the tram⁵ back to the Moore Memorial Church.

Q—Where did you take the tram?

A—Nanking and Szechuen Road corner.

Q—Where did you stop?

A—I did not get off until I got to the New World corner of Thibet Road.

Q—From Szechuen Road to the New World, did you see any students?

A—I saw one small group at the corner of Honan and Nanking Roads.

Q—About how many?

A—Five or six.

Q—What were they doing?

A—They were apparently arguing with a Sikh constable.⁶

¹ 午膳. ² 海軍青年會. ³ 午膳何時完畢. ⁴ 大約 (音 ā-prōk'sī-mât-lŷ).

⁵ 電車. ⁶ 似與印度巡捕辯論.

Q—Were you near enough to hear what the argument was about?

A—No, I could not tell.

Q—Was there any disturbance?¹

A—No, it was quite quiet.

Q—Any fighting?

A—No.

Q—Did you see any other groups of students?

A—No, not on my way home.

Q—You went straight home from The New World?

A—Yes.

Q—When did you come out again?

A—I came out in about 30 minutes.

Q—About 2.30?

A—Yes.

Q—Where were you bound for?²

A—Wing On's.³

Q—Did you go to Wing On's by way of Thibet Road and then eastward to Nanking Road?

A—No, I walked down Kiukiang Road and came through one of the narrower side streets to Nanking Road.

¹ 擾亂. ² 欲至何處. ³ 永安公司.

Q—You got to Wing On's without any trouble?

A—Yes no trouble.

Q—Did you enter Wing On's by the side entrance¹ or by the Nanking Road entrance?

A—The Nanking Road entrance.

Q—At approximately what time did you arrive at the Nanking Road entrance to Wing On's?

A—2.40, I think.

Q—Up to that point, did you see any student disturbances?

A—I saw a foreign constable² taking two students into the Police Station. That was just beyond Wing On's.

Q—Were these two men students, or labourers,³ or what were they?

A—Apparently students, just boys.

Q—Did they go to the Station quietly?

A—Yes, they were going along quietly. The Police had them by the backs of the necks.

Q—Do you remember the number of the foreign constable?

A—No.

¹ 側門. ² 外國巡捕. ³ 工人.

Q—Was that all you saw before you went into Wing On's?

A—Yes, there were about 5 students following along behind.

Q—Were they disturbing the peace¹ in any way?

A—They were not saying or doing anything, just following.

Q—Did you see any banners² in their hands?

A—No.

Q—So that these men were following meekly³ on to the Station?

A—Yes.

Q—When did you come out from Wing On's?

A—I stayed in there about 20 minutes.

Q—From what exit⁴ did you come out?

A—The side exit on Nanking Road.

Q—When you came out what did you see?

A—I saw that the street had considerably filled up with people and apparently there was some confusion up towards the Police Station.⁵

Q—Did you see the Police driving anybody back?

¹ 擾亂治安。 ² 旗。 ³ 依順。 ⁴ 門口。 ⁵ 路上人極擁擠，在西面捕房處似有擾亂。

A—Yes, after I had walked a little beyond Wing On's, I saw that the Police were pushing the students back.

Q—Were the students resisting¹ the Police?

A—No, they were not resisting.

Q—About how many students do you estimate² at that time?

A—I would estimate about 200.

Q—Did you see any of these people armed?³

A—No.

Q—Did you see any banners?

A—Yes, there were some banners.

Q—Mostly held by the students?

A—Yes.

Q—Were any held by people who you could say off-hand⁴ were not students?

A—I did not recognise⁵ any, no.

Q—Was this crowd of 200 all students?

A—I would judge this 200 were students, yes. The street was gradually filling up.⁶

Q—Was it filling up with students or non-students?

A—Non-students.

¹ 抗拒. ² 約計. ³ 武裝, 執武器. ⁴ 立即. ⁵ 認出. ⁶ 路上漸漸人滿.

Q—What would you say they were?

A—I would just say people who happened to be passing and, seeing that there was some confusion, joined in.

Q—[.....]¹

A—Yes.

Q—Just curious pedestrians?²

A—Yes.

Q—When you walked a little distance west of Wing On's about what time was it?

A—A little bit past 3 o'clock.

Q—Where were you then?

A—I was about 40 steps east of the Station.

Q—From the point directly opposite the Station?

A—Yes.

Q—Up to this point what was the size of the crowd?

A—The student group as I have said, was approximately 200. The street had filled up until traffic was difficult,³ but traffic was still going ahead as usual, although it had to be careful where it went.

¹ 問語未詳。 ² 好奇的路人 (pedestrian 音 pē-dēs'-trī-āns)。 ³ 車輛難以通行。

Q—Aside from these 200 students approximately, about how many people were in the crowd when you were 40 feet from the point opposite Louza Station a little after 3 o'clock?

A—It would be a pure guess,¹ but I should say between one and two thousand.

Q—Did you see any of the curious people, the on-lookers, non-students, carrying arms or sticks, or any instruments² whatever? From your observations,³ was this crowd orderly⁴ or otherwise?

A—Well, they were not orderly in the ordinary sense of the term. They were threatening to block the street.⁵ I should say that. They were not doing anything else.

Q—Excepting block the traffic?

A—No.

Q—There was some shouting or cheering?⁶

A—Yes, quite a lot of cheering.

Q—Can you tell us what the nature of the cheering was?

A—As best as I could tell, a leader would throw up his hands and holler,⁷ and they would all holler without saying anything intelligible.⁸ I do

¹ 猜想。 ² 兇器。 ³ 觀察。 ⁴ 守秩序。 ⁵ 將街道阻斷。 ⁶ 呼喊。 ⁷ 呼喊。

⁸ 可懂的。

not know what they said—it was more like shouting “Hurrah ”

Q—Up to that point, was the crowd manageable?¹

A—Yes, up to that point.

Q—Did you see any Police amongst the crowd trying to do anything to them?

A—Yes, as I saw there were about 3 or 4 foreign police and an equal number of Chinese and Sikhs who were pushing the crowd back towards Wing On's.

Q—Were they successful in their efforts?²

A—Yes, up to that point.

Q—Was the crowd increasing in volume?³

A—Yes, rapidly increasing, so much so that the traffic was practically blocked by this time.

Q—From what you could see of the students, what did you gather their object was?⁴ What was their goal⁵ in gathering together?

A—As far as I could judge, the main body of the students did not have any intelligible purpose⁶ although I would judge the leaders wanted them to stand by the group who had already been locked up.⁷

¹ 受約束否 ² 得手否. ³ 人數加增. ⁴ 你想學生有何目的. ⁵ 目標. ⁶ 並無目的. ⁷ 叫他們援助被捕之學生.

Q—By standing by, do you mean voluntarily standing by?¹

A—They did not feel they had the right to leave as long as their fellow students who had been doing the same thing as they had been, were locked up.² They merely wanted to show that they were backing them up, not violently.³

Q—From what you could see, what were the students doing to stand by their friends?

A—Up to this point, they had been retreating before the Police,⁴ but opposite the Town Hall, a number of leaders exhorted them not to continue to retreat,⁵ and the whole crowd had so blocked the street that they were all pressing in towards⁶ the Police, and I would judge, that from this time, they began trying to go back to the Police Station.

Q—Was the advance orderly or violent in character?⁷

A—Not violent as far as I could see. They were really pushing forward. The group behind were pushing those in front.

Q—Were those in front apparently anxious to go ahead, or were they reluctant?⁸

¹ 自願的援助。 ² 見同學被捕，故不願退去。 ³ 援助他們，惟不用武力。 ⁴ 被巡捕逐退。 ⁵ 勸他們勿再退後。 ⁶ 向前進。 ⁷ 前行時是有秩序的，或是暴動的。 ⁸ 願意前進，還是不願意。

A—Those near the Police clubs¹ were very reluctant. The Police were now using their clubs but the people at the back were wanting to go forward, and unless a policeman was there, they were going forward.

Q—Did you see any students injured?²

A—Yes, one. I saw one with the blood streaming down³ his face and head.

Q—What was the cause of that?

A—I did not see him when he was struck. I judged that he was hit by a policeman's club.

Mr. Maitland:—I think that is hardly admissible.⁴ He said "I judged." The man might have been trampled on⁵ by other students.

Dr. Mei:—I will let that pass.

Q—These 6 or 7 policemen you saw trying to drive the crowd back, did the crowd seem to obey them?

A—They did up to the time they got opposite the Town Hall. After that they were not obeying excepting where the Policeman were using their clubs.

Q—Was it possible for them to retreat when this crowd got back to the Town Hall?

A—I think it would have been possible if they had all had one idea to retreat, but it was

¹ 警棍. ² 受傷. ³ 流下. ⁴ 不應當問此語. ⁵ 踐踏.

practically impossible for an individual to retreat¹ unless he did it very slowly.

Q—Did you hear the shots ring out?² Where were you standing at the time of the fire?

A—At the same place, about 40 steps from the Police Station.

Q—You were there during the firing?

A—Yes.

Q—You first heard one shot?

A—Yes.

Q—Did you hear any warning³ before the shots were fired?

A—No, I did not; I was too far away.

Assessor:—In comparison with some distance in this room, how far were you away?

A—I should say from 2 to 3 times the length of this room.

(Note: Court room measures actually 41 feet long).

Q—All around you was there a crowd?

A—Yes, traffic had stopped.

Q—The tram tracks⁴ were blocked?

A—Yes.

Q—Did you see any trams on the track?

A—Just before the shooting, no. Right at that time I did not see any trams.

¹ 全體退後則可，個人則不能退。 ² 鉛彈之響聲。 ³ 警告。 ⁴ 電車軌道。

Q—You mean at the point when the firing took place?

A—Yes.

Q—That would be between Lloyd and Kweichow Roads?

A—Yes.

Q—In that space¹ there were no trams standing?

A—I did not see it.

Q—Were you looking towards the Police Station at the time?

A—Yes.

Q—If there had been a tram would you have seen it?

A—Yes, I think I would.

Q—Not a single tram?

A—I did not see one.

Q—One of the Police witnesses² stated that there were two or three trams along the line of fire.³ If they had been there you would certainly have noticed it?

A—I certainly think so. I was directly opposite the firing.

Q—From the time of the first shot, how long elapsed before you heard the succeeding shots?⁴

¹ 地位, ² 捕房證人, ³ 在火線內, ⁴ 第一鎗與以後的鎗聲相隔幾時,

A—Almost instantaneous.¹ The only way I can judge is by the time it took for me to jump from the front of the shop inside it.

Q—You jumped immediately after the first shot?

A—Yes.

Q—And you immediately dodged into the shop nearest?²

A—Yes.

Q—Do you know the name of the shop?

A—I do not know the name. It was an electrical shop.³

Q—Do you know the number?

A—No, I have not passed there since.

Q—Did any other people dodge into the entrance at the same time as you did?

A—Yes, there were about 20 trying to get in at the same time as I was.

Q—Did you hear the other shots when you got into the shop?

A—Yes, I was getting into the door. I was right in the door in fact.

Q—How many shots did you hear?

A—I could not judge, I would guess 50 to 100. That is a pure estimate.⁴

¹ 同時的 (音 in-stān-tā'nē-ūs). ² 避入店內. ³ 電器店. ⁴ 猜測.

Q—When did you come out from the shop again?

A—I should say in half a minute.

Q—Was the road clear when you came out?

A—Yes, absolutely clear.

Q—What did you see?

A—I saw some 10 or 12 boys and men lying in pools of blood¹ at various places on the street.

Q—Were you directly in the line of fire?

A—Yes.

Q—You might have been hit?²

A—I might have been.

Q—As far as you could judge, being in the crowd, and amongst them, was the state of mind of that crowd such as to be threatening the Police or threatening to capture the Police Station by violence?³

A—I certainly would not think so.

Q—Did you see any violence whatever on the part of the students?

A—I did not see any.

Q—Being in the crowd, and judging from the temper of the crowd, would you say that the Police in firing at the time they did, were justified in firing⁴—3.37?

A—I would say absolutely unjustified.⁵

¹ 血跡。 ² 打傷。 ³ 觀羣衆之心理，是否欲用暴力攻擊捕房。 ⁴ 觀羣衆之態度，巡捕有無開鎗之必要。 ⁵ 極不應該。

Q—Could you judge whether the crowd could have been dispersed if a fire hose had been applied to them?¹

A—I think they would have scattered in every direction.²

Q—You did not see any fire hose played on them?

A—No.

Q—Did you see any desire, or intention evinced on the part of the crowd to capture the Police Station?³

A—I did not see any, no.

Q—Was there any violence demonstrated towards the Police⁴ with the ultimate object of capturing that station?⁵

A—None.

Q—You were in the centre of the crowd, practically?⁶

A—As between east and west, yes.

Q—Did you hear any cries of “Down with the foreigner”⁷ or “Kill the foreigner”?

A—None whatever.

Q—From what you could judge, was the crowd anti-foreign at all?⁸

A—I do not think so.

¹ 用皮帶管澆水，能否將羣衆驅散。 ² 向各處散開。 ³ 羣衆有無欲攻擊捕房之意。 ⁴ 曾否向巡捕示威。 ⁵ 其目的爲欲攻擊捕房。 ⁶ 實際係站在羣衆中間。 ⁷ 推翻外國人的勢力。 ⁸ 羣衆有無排外的意思。

Q—In giving this testimony,¹ are you biased in any way towards the Police or in favour of the students?² What I want is a true statement from you as to the facts. I want you to tell the Court whether you are biased in any way.

A—I am not whatever. I may say, to prove that, that the Nanking Road Station, Louza Police Station, has been of very great service to the institution for which I work,³ and we have always worked with the greatest appreciation⁴ of their services.

Q—From where you were standing, in front of this electricity shop, could you command a view of Louza Police Station?⁵

A—Yes.

Q—Was there any Police guard⁶ at the gate?

A—Yes, there was a line of Police.

Q—About how many?

A—20, I suppose.

Q—Were they standing double breast,⁷ or in close rank?⁸

A—They were standing in line.

Q—A straight line drawn directly across the station entrance?

¹ 證言. ² 偏袒捕房或學生 (biased 音 bī'ǎst). ³ 捕房頗能幫助我們的教堂. ⁴ 感謝, (音 ǎ-prē-shì-ā'shǎn). ⁵ 看見老關捕房. ⁶ 防守之巡捕. ⁷ 二人一排. ⁸ 排成一線.

A—It appeared to me to be a semi-circle, and convex,¹ taking the angle towards Nanking Road.

Q—At the point of firing, how far would you estimate were the nearest members of the crowd from the Police?²

A—I could not answer that question, because, while I could see the policemen above the crowd, I could not tell the distance between them and the crowd.

Q—Did you see the Police presenting arms,³ ready for firing?

A—I could not see them because of the crowd. The guns were below the heads of the people.

Q—Did you see any of the crowd making a rush toward the Police Station?

A—No, I did not see anything except this gradual push forward.⁴

Q—It was a push, not a mad rush?⁵

A—It was a gradual push.

Q—By gradual, would you say they were moving on their feet, at a walk?

A—Not more than a walk.

Q—So that you would not characterise that gradual movement as a rush?⁶

A—No.

¹ 凹圓形 (音 cǒn'vèks). ² 開鎗時羣衆前列者與巡捕相距若干. ³ 舉鎗精準. ⁴ 逐漸向前進行. ⁵ 狂衝. ⁶ 逐漸的進行, 能否稱爲狂衝.

Q—The Police said there were two or three rushes at the Station, and that the crowd was trying to capture the Station.¹ Was there any indication² of that?

A—I did not see it.

Q—You were standing at this place in front of the electricity shop for how long?

A—20 to 25 minutes.

Q—That is a minute or so after the firing and 25 minutes before it?

A—Yes.

Q—During that 25 minutes you did not see any rush?

A—No.

Q—Did you see any bamboos wielded by any of the crowd?³

A—No.

Cross-examination by Mr. Maitland:—

Q—There were about 1,000 people between you and the Police?

A—I could not say how many, about as many as could stand in that distance, 40 steps.

Q—So you could not see those in front?

A—I could not see at the actual time of the shooting.⁴

¹ 欲攻捕房。 ² 表示。 ³ 見人持竹竿亂使否。 ⁴ 開鎗之頃

Q—Therefore it is impossible for you to say whether the shooting was justified¹ or not? You could not see what they were doing?

A—I saw them until they got right up to the Police Station.

Q—When they got up to the Police Station you did not know?

A—I could see their heads.

Q—The top of their heads over about 1,000 other people—do you talk the Shanghai dialect?

A—Yes.

Q—You could not understand what the crowd were shouting out?

A—They were just shouting unintelligibly.²

Q—You could not hear?

A—Yes, I could hear.

Q—What were they saying?

A—I could not pick out anything.

Q—You cannot say whether they were shouting “Kill the foreigner” or not?

A—I can only say I did not hear that.

Q—Have you had any experience with mobs?³

A—A real mob, no.

¹ 應該。 ² 所喊之聲不能懂得。 ³ 以前曾否遇見暴動之羣衆

Q—So, as to the justifiability, your evidence is not very valuable.¹

A—I would think it is. I have had experience of crowds like this.

Q—Was this not a mob, these 2,000 men surging up the street?²

A—I would not call it so.

Q—How tall are you?

A—6 feet.

Q—I understand you know Louza Station?

A—Yes.

Q—You have always found the Station people reasonable?³

A—More or less they have been of considerable service to us.⁴

Q—Do you know Inspector Everson?

A—No, I don't.

Q—You told us they retreated from the Town Hall and then suddenly turned and came back again on the exhortation of some leaders.⁵ What did you think they wanted to come back for if it was not to go to the Police Station?

A—I think they wanted to come back as an expression of sympathy for their fellow-students who were held there.⁶

¹ 然則對於巡捕應否開鎗一點，你的證言無甚價值 (justifiability 音 jū-sī-ā-bīl'ī-tī). ² 向前衝擁。 ³ 有理的。 ⁴ 常幫助我們。 ⁵ 由領袖鼓吹 (exhortation 音 ěk-sōr-tā'shūr). ⁶ 因同學被捕，欲前去表示同情。

Q—We have heard evidence,¹ you know, of injuries to several constables.² One has told us quite clearly that he was on the ground and that the crowd were trying to get his revolver.³ Did you see anything of that?

A—No.

Q—What do you think the crowd was collected for?⁴

A—Curiosity,⁵ I think.

Q—Did you see any of those men?

A—I do not recognise any of them. One man looks like one of the two I saw being arrested, but I could not be positive.⁶

Q—That is really all you know about it—that you were about the middle of the crowd and that they started up from the Town Hall to the Police Station?

A—Yes.

Assessor:—Did you see any bamboos at all of any kind?

A—I saw one that the flag been torn from on the opposite side of the crowd, once.

Q—Did you see any other sticks?

A—No.

¹ 證據. ² 西捕數人受傷. ³ 手鎗. ⁴ 聚集. ⁵ 好奇心 (音 kū-rī-ōs'ī-tī).

⁶ 確實.

Q—Any bamboo poles?¹ Yesterday a witness testified² that there were four bamboo poles. Did you see them?

A—No, I did not. Across the crowd there was a split bamboo stick³ which I saw raised up. Who had it, I do not know. It may have been the Police, I don't know.

Q—This rush has been described—you have seen a football game, I suppose—now this rush has been described that the men were standing for a while near the Town Hall, and that they gradually worked their way towards the gate of the Station and suddenly, just a few moments before the firing, there was a kind of rush towards the Station?

A—I did not see anything that would approach⁴ a rush of that kind, it was more like a push-ball game where the Police were too few to hold back the crowd and the crowd gradually pushed forward.

Q—Were you looking directly at the entrance to the Police Station at the moment of the firing? Whatever took place must have taken place in the twinkling of an eye.⁵

A—I was looking right in that direction.

(This concluded Mr. Anderson's evidence.)

¹ 竹棍, ² 供稱, ³ 已破之竹竿, ⁴ 類乎此者, ⁵ 一轉瞬間.

**Evidence of Mr. Arthur Covey, legal practitioner,¹
British subject, in Shanghai for 2 years
and 8 months.**

Question—Will you please tell us just what happened on this afternoon?

Answer—Between 3.15 and 3.30, I left the Astor House² to go to the Blackstone Apartments, proceeding by way of Nanking Road in a ricsa.³ When crossing Chekiang Road I noticed a crowd of about 2,000 standing at the edge of the pavement,⁴ looking up westwards. I mean a continuous line of 2 and sometimes 3 along the pavement. The wheeled traffic was decidedly thick,⁵ and I never saw anyone in the road at all, I got as far as the Town Hall and then I heard shots fired. I heard a volley.⁶ I had seen one boy or one man with a large packet of pamphlets.⁷ He was throwing them up in the air when I was about half way down to the Town Hall. Some of them fell into the road and 15 to 20 Chinese ran out into the road, and my ricsa boy⁸ had to go to the left to avoid them. At that time there was a 'bus⁹ on my right just in front, half-right. When I heard the volley fired, I anticipated that the next shot would be ball fire,¹⁰ so I at once ordered my ricsa boy to take

¹ 律師。 ² 禮查西旅館。 ³ 力人車。 ⁴ 階沿畔。 ⁵ 車輛甚多。 ⁶ 排鎗。
⁷ 一袋傳單。 ⁸ 人力車夫。 ⁹ = omnibus 公共汽車。 ¹⁰ 聞鎗聲之後，預料將繼以礮火。

cover behind the 'bus.¹ He did so and then I directed him further back² into the side road on the left of the Town Hall.

Q—You were at the Town Hall when the firing took place?

A—I was at the corner of the Town Hall and this road, watching things.

Q—What road?

A—I could not tell you. I told my boy to pick up one of the pamphlets and he went out to the middle of the road to pick up one for me. Traffic had been held up.³ When the traffic was proceeding,⁴ the traffic, as far as I could see, was going ahead, east and west, but it suddenly stopped. I was personally able to look up Nanking Road round the corner of the Town Hall. I was looking towards Louza Police Station.

Q—As far as you could see, what did you see in front of the gate?

A—I could not see the gate.

Q—Any reason for that?

A—Owing to the 'bus being immediately at right angles between me and the station.⁶ I waited on the corner for about a quarter of an hour and I saw the wounded pass me. I saw one boy

¹ 避在公共汽車後面。 ² 叫他再退後。 ³ 車輛被阻。 ⁴ 前行。 ⁵ 視線被公共汽車阻住。

sitting in a ricscha stripped to the waist¹ with a wound in his back. Whether it came from the front or back I do not know, but the wound was perfectly clean and no blood issuing from it.² I should not like to say whether he had been hit from the front or the back, but my first impression was a back wound.³ He put his hand round his back like this (demonstrated)⁴ and then looked at his hand.

Q—Did you see any wound in front?

A—I did not see the boy in front. I only saw his back. When I saw him, he was a couple of yards⁵ away from me.

Q—Did you actually see this movement of reaching behind to the wound on his back, and then looking at his hand?

A—Yes, he smeared⁶ his open hand, like this (demonstrated). There was no blood. I then proceeded along up the narrow road round the Town Hall to get into Thibet Road in order to do which I had to make a turn to the right. There I saw patches of blood⁷ and actually had my ricscha boy pull up. I noticed a Chinese was saying something or other calling to his friends to show them the blood. I proceeded on to Blackstone Apartments and returned down Nanking Road about 5.30. I passed Louza Station and saw no trouble then.

¹ 衣服脫去至腰際。 ² 未見流血。 ³ 驟視之，傷口似在背上。 ⁴ 表演。 ⁵ 約一兩碼(五六尺)。 ⁶ 沾污。 ⁷ 血跡。

Q—At what time did you arrive at this point at the corner of the Town Hall where your ricscha was held up?

A—I looked at my watch at the time the firing took place and it was 3.30 exactly.

Q—Your watch is in good working condition?¹

A—Absolutely correct.

Q—You arrived at the moment of the firing?

A—Yes, I was actually going towards the Station, in another minute, I should have been there.

Q—From what you could see at the time your ricscha arrived at this particular point, what did you think was the temper of this mob?²

A—Up to that point, I should have said they were cheerful, more cheerful than otherwise, in fact I thought they were simply watching the result of an armed robbery³—hence the firing.

Q—Did you see any rush towards the Station with violence?⁴

A—No, I saw a rush of about 15 or 20 people when the firing took place, and there was no rush after that where I was.

Q—Did you hear any warning shouted to the crowd before the firing?

¹ 錶走得準否 ² 羣衆之態度如何. ³ 強盜搶劫. ⁴ 向捕房狂奔.

A—No. Everything seemed ordinary¹ except that everybody was looking westward. I came to the conclusion² that there must have been an armed robbery somewhere around Louza Station.

Q—Did you see any violence displayed by the mob?³

A—None at all.

Q—Did you see any instruments or armed weapons?⁴

A—I saw none at all.

Q—The Police stated there were four bamboo poles⁵ such as coolies use to carry things with. Did you see any of these?

A—No, I did not.

Q—Being in that situation, so near the Police Station, and in the crowd, would you say that the Police were justified in firing at the crowd?⁶

A—I could not say because I did not actually see the Police where they were stationed.⁷ Neither did I see the crowd when I heard the firing. At that time, I had a clear vision⁸ to the left of me and I should say in front of me, but not half right.

Q—You stated a moment ago that the crowd appeared to be cheerful, and that it was a cheerful

¹ 平常。 ² 以爲。 ³ 羣衆會否暴動。 ⁴ 兇器。 ⁵ 竹棍。 ⁶ 巡捕應該開鎗否。 ⁷ 站立。 ⁸ 看得清楚。

mob, not violent.¹ In these circumstances would you say the Police were justified in firing?

A—I could not say, I was not up on the spot.²

Q—Have you had any experience with large crowds and mobs?³

A—Many, and fighting ones, too. I have seen a good bit of active service as a political officer.⁴

Q—In your experience as a political officer, have you ever seen an occurrence similar to this?⁵

A—No, I could not say that I have. I have passed down streets with many more hundred people than I saw on that day.

Q—As a political officer, what has been your experience with respect to mobs or crowds just before the authorities would shoot to kill.⁶ What preparation⁷ would they take?

A—If you are asking about my service, the King's Regulations are that no man should fire until he is fired upon.⁸

Q—Those are the regulations governing what?

A—All officials of any service.⁹ I once had an experience to know it.

¹ 非暴動的。 ² 並不在場。 ³ 以前曾否遇見大隊羣衆。 ⁴ 在政界任事時，常見之。 ⁵ 與此次相同之事。 ⁶ 官員向羣衆開鎗以前應如何措置。 ⁷ 預備。
⁸ 就本人以前所任職務而言，按皇帝之命令，須先被人開鎗攻擊，始可開鎗反攻。
⁹ 不論何種官員。

Q—Would you say the Police should form in a square before they would shoot and read the riot act or give some such warning?¹

A—My duties chiefly in the service² were, when there was any trouble at all, to have the military out,³ to hand over towns to the military,⁴ but one always knew quite well that if you were not first fired at, that you ran the risk of being dismissed from the service,⁵ and of your government paying for any damage that was done,⁶ and for loss of life.⁷ One incident⁸ in my life shows that it is not always the case that one has to be fired at first because I, personally, was held up on a Commission of Enquiry at headquarters in Nigeria,⁹ to answer why we fired on a town without first being fired upon. On that occasion, I had lost 4 of my messenger staff¹⁰ and had received a most insulting message from the chief of the district,¹¹ so I handed the town over to the military.¹² I sent out an armed body which I accompanied myself.¹³ No troops had been shot at the time, and when we arrived at the town, still no shots had been fired. I should like to say that it was found

¹ 巡捕應否排一方形之陣，將暴動律宣讀，或與以相同之警告。 ² 服務時期。 ³ 召集軍隊。 ⁴ 將城市交付軍隊。 ⁵ 將被革職。 ⁶ 由政府賠償損失。 ⁷ 治死罪。 ⁸ 事件。 ⁹ 在 Nigeria 司令部受審訊。 ¹⁰ 傷送信人四名。 ¹¹ 收到當地長官之誣辱的公文。 ¹² 將城市交付軍隊。 ¹³ 率領武裝軍隊前去。

that I had no other alternative¹ except to fire or to hand over the town to the military.

Q—Do those King's Regulations governing the military apply to the Police?²

A—I was as liable to be held up on a commission of enquiry³ just the same if I had gone with Police or soldiers.

Q—From what you could gather being on Nanking Road in a ricscha and seeing the crowd was cheerful, would you say that these indications warranted the police firing on the mob?⁴

A—I could not say. My first impression was that the Police had fired blank cartridge.⁵ When I saw the wounded, I knew they had fired ball.⁶ Then I wondered whether they were justified or not. It is for the Court to say.

Magistrate:- From your point of view, could you say whether or not, the crowd had any intention to capture the Station?⁷

A—I could not say because I could not get near to the Station.

Cross-examined by Mr. Maitland:—

Q—You were at the Town Hall?

A—Just past the Town Hall.

¹ 無第二個辦法 (音 6l-tār'nā-tiv). ² 皇帝的命令軍隊和巡警是否都應遵守. ³ 將受審問. ⁴ 觀此情形, 巡捕應否開鎗. ⁵ 起初我以為巡捕開空鎗 (音 kār'trj). ⁶ 實彈. ⁷ 羣衆有無攻擊捕房之意.

Q—Were you on the east or west side?

A—I was going towards the west, and I afterwards turned to the south.

Q—When the firing took place, were you on the Bund side of the Town Hall?

A—I was at the Town Hall.

Q—It would be correct to say that the Town Hall is 300 yards from Louza Station?

A—I could not tell. With regard to the shooting, it was far enough away for me to believe it was blank fire.¹

Q—You did not know what it was all about?

A—Not at all.

Q—You cannot talk Chinese?

A—No.

Q—You could not understand what they were saying?

A—No.

Q—Did you see any 'buses² beside the one you mentioned?

A—There were several cars but the car that was in front of the turning I went round, was about 22 or 23 yards in the rear³ of the 'bus. It gave me ample space⁴ to turn past the 'bus and round the back of the car.

¹ 空鎗. ² 公共汽車. ³ 在後面. ⁴ 充足的餘地.

Q—You appeared, I think, on behalf of the Shanghai University¹ when an application was made to seize about 300 Bolshevik books?²

A—I appeared for Zau Lih Ts who was called the President of the university; I think he was the acting president.³

Q—On that occasion, there were just about 300 books of a Bolshevik nature?

A—Yes, I should estimate it about that. I do not say Bolshevik because I do not know what the contents⁴ were.

Q—That is what the Court found. They were seized on those grounds?

A—Yes.

Q—I think you also appeared on behalf of the strikers in the Japanese cotton mill?⁵

A—That very morning, I had appeared for four students of the Shanghai University, and had pleaded guilty on their behalf⁶ and asked that their cases be heard that day. They were allowed out on bail of \$100.⁷ I also appeared for the head man of the labourers in the Nagai Wata Kaisha mill,⁸ and this case, also, was held over.⁹ Those cases are still held over, although in both instances I pleaded guilty on behalf of the accused.¹⁰

¹ 代上海大學辯護。 ² 捕房欲去搜查過激書籍。 ³ 代理校長。 ⁴ 內容。

⁵ 代日本紗廠罷工工人辯護。 ⁶ 承認有罪。 ⁷ 取保一百元開釋。 ⁸ 內外棉紗廠。

⁹ 未了，展期。 ¹⁰ 兩案均代被告承認有罪。

Assessor:—I believe you stated in your examination in chief,¹ that you saw, just before the firing, a rush of 10 or 15 people.

A—Yes, when the pamphlets² were going in the air.

Q—Just a few moments prior to the firing,³ did you see a general movement of the crowd?

A—No, that was the only move I was able to see.

Q—What would you estimate the crowd to have been,⁴ as far as you can tell?

A—From Wing On's, down to the Louza Station, from what I saw on the side of the pavement at Sincere's and Wing On's, I should say there was a crowd of about 750—over 500 anyhow.

Q—Just leave out Wing On's—the crowd between you and the station?

A—I did not have a very clear vision,⁵ I think there were two 'buses, I am not quite sure, but that left me no vision of the roadway leading up to the Station.

Magistrate:—You just said there was 700 or 800 people. Can you state what kind of people the majority⁶ of them were?

¹ 由本律師(非對方之律師)所詰問之供詞。 ² 傳單。 ³ 開鎗以前。 ⁴ 羣衆人數約有若干。 ⁵ 看不清楚。 ⁶ 大半。

A—I should say they were there out of curiosity.¹ Some of them were well dressed—the ordinary crowd that one might see on a Sunday or any day they were wearing their better clothes.

(This concluded the evidence of Mr. Covey.)

**Evidence of Dr. New We Sung,² surgeon,³
Chinese citizen**

Question—Where were you educated?

Answer—Harvard University.

Q—How long have you been practising surgery?⁴

A—Since 1918.

Q—Did you start in Shanghai in 1918?

A—Shanghai since 1920.

Q—Where did you start in 1918.

A—I was surgeon at the Peking Union Medical College.⁵

Q—Are you connected in any way with the Red Cross Hospital?⁶

A—I am the surgeon there.

Q—At the head hospital⁷ in Avenue Haig or on Tientsin Road?

A—Both places.

¹ 好奇者。 ² 牛惠生醫士。 ³ 外科醫生。 ⁴ 行使外科醫術。 ⁵ 北京協和醫學。 ⁶ 紅十字會院。 ⁷ 總醫院。

Q—Is that a public Chinese hospital, maintained by the Chinese Red Cross Society?¹

A—Partly.

Q—Did you see any of the wounded who were taken to the Red Cross Hospital?

A—Yes, four on May 30, and two on June 1.

Q—Were they wounded or killed?

A—Wounded.

Q—Did you examine any of the killed?

A—No.

Q—Now, confine your attention to those brought in on May 30.² How were they brought to you?

A—Three of them were taken to Tientsin Road Hospital, and I kept them there until 6 o'clock, they came at 4 o'clock. Then I transported them by ambulance to the Avenue Haig Hospital.³

Q—What happened to the other one?

A—He came by himself to Avenue Haig.

Q—You attended them?

A—My assistants.⁴ I saw the cases first, and turned them over to my assistants.⁵

¹ 中區紅十字會開設。 ² 專心注意於五月卅日之受傷者。 ³ 以病車送入海格路總醫院。 ⁴ 幫手。 ⁵ 交於幫手診治。

Q—Of these four men you have examined, do you say they were shot from behind?

A—Two were shot from behind. The other two I am not able to say.

Q—Take up those you knew were shot from behind. Tell the Court what you found as evidence¹ of that?

A—One man had a wound of entrance² over the right shoulder which tunneled through the skin³ and came out about 4 inches in front.

Q—You are positively certain⁴ it was a shot from behind?

A—Yes.

Q—What about the next one?

A—He was shot in the right scapula,⁵ and the shot came out at the right axilla.⁶ The wound of exit was larger than that of entrance.⁷ I should say the arm was held in this position when the shot was fired.

Q—The indications are very positive that he was shot from behind.⁸ Could he have been shot any other way?

A—Usually the wound at the point of entry is smaller than the wound of exit.

¹ 證據, ² 入口, ³ 由皮內穿過, ⁴ 確實, ⁵ 肩胛骨, ⁶ 腋下, ⁷ 出口大於入口, ⁸ 觀此情形, 可證明彈由後面打入。

Q—What about the third one?

A—This one had a graze¹ over the top of the head. It was impossible to say if the shot was from the front or behind.

Q—Was it a serious injury?²

A—No. The fourth one had a wound on the outside of the thigh³ just a graze. It was impossible to say where it came from.

Q—Were there any others brought to the hospital?

A—Not that day. On June 1 two others came in.

Q—How did they come?

A—They came by ricscha to Avenue Haig⁴ by themselves. The first one was shot in the back,⁵ just over the left scapula. The bullet apparently went through,⁶ above, and to the left of the region of the heart. The bullet did not come out, but lodged below the skin.⁷ When the patient⁸ came in, we thought it was blood. I ordered the assistants to make an incision,⁹ and a clot of blood¹⁰ and the bullet came out. The second man was shot from behind. The entrance was on the right buttock¹¹ and the bullet is still in the buttock. We

¹ 擦傷. ² 重傷. ³ 股. ⁴ 海格路. ⁵ 第一人係從背擊入. ⁶ 彈子穿過.
⁷ 埋入皮內. ⁸ 病人, (音 pā/shěnt). ⁹ 令幫手割開. ¹⁰ 血塊. ¹¹ 臀.

verified that by X-Ray.¹ I have not as yet operated on the case.²

Q—Out of 6 cases you examined you are positive four were shot from behind?

A—Yes.

Q—Have you examined any other cases at all?

A—I have not.

Assessor:—Judging from your medical experience,³ this man with the bullet which you took out—about what distance would he be away from the firing?

A—There is no way of telling the distance.

Q—Apparently he must be quite a long way off?

A—Yes, the bullet did not have sufficient velocity to go through.⁴

Assessor:—Could you tell us, off hand,⁵ about the ages of those people?

A—They were all between 25 and 35.

Q—Did you enquire as to their occupations?⁶

A—Yes, one was a bean-curd maker,⁷ one was a coolie at the Yih Ping Shang.⁸ I cannot recall the others.⁹ None of them were students.

¹ 用X光查明。 ² 尚未開割。 ³ 醫藥上的經驗。 ⁴ 彈之速率已減，不能洞穿。 ⁵ 立即（即不加思索之意）。 ⁶ 曾否問明他們的職業。 ⁷ 豆腐店夥。 ⁸ 一品香旅館。 ⁹ 餘人記不清楚。

Cross-examined by Mr. Maitland:—

Q—Take the first case. You say the man was shot in the right shoulder. Can you indicate where on the interpreter?¹

A—At the back, just about here (indicated).

Q—Where did it come out?

A—About 4 inches to the front. It just went below the skin.

Q—You would not say it was straight?

A—No, I would not say it was absolutely straight.

Q—It could be accounted for by a sideways shot?²

A—From the direction, there was certainly a slight angle to it.

Q—It would be possible for a man on the edge of a mob to get a bullet like that sideways?

A—That is rather difficult to answer.

Q—I will put it this way. You have a mob of, say, 2,000 people surging forward.³ You have the people here who are firing, the mob are hit in all different directions. They are not hit straight.

A—It all depends on how the rifles are held.⁴

¹ 在繙譯員身上指明之。 ² 是否由側面打入之彈。 ³ 向前面擁去。 ⁴ 須視快鎗之地位而定。

Q—If the police were in a semicircle¹ like that, the bullets would be coming out in different directions?²

A—Yes.

Q—Like the rays of the sun?³

A—Yes

Q—It would be distributed,⁴ not straight fire?

A—It may or may not.

Q—If they were in a semicircle, and held their rifles in the direction of the radii of the circle,⁵ they would not be hit straight. They would be hit sideways, depending on how the mob were rushing forward.

A—I cannot get your idea.

Q—If there is a mob seething forward,⁶ and the fire is radiating,⁷ it is possible for a man to be hit sideways, or if he turns round, to be hit in the back. In the confusion,⁸ it would be possible for a man to turn partly round and get hit.

A—Yes.

Q—Would it be consistent with a ricochet?⁹ The bullet might hit a wall and ricochet off. Would that possibly cause the wounds?

¹ 半圓形. ² 彈由各方面射來. ³ 如太陽之光線. ⁴ 分散. ⁵ 圓之半徑, (radii 音 rā/dī-i 其單數式爲 radius). ⁶ 向前衝擁. ⁷ 向各方發射. ⁸ 擾亂之時. ⁹ 着地之後再跳起之彈, (音 rik'ō-shā').

A—I am not in a position to say.¹ I have never had experience of that.

Q—Now the second one. Will you please put your finger where that went in?

A—Through here, and then it tunnelled through under the skin,² and came out at this point, and it touched the back of the arm. If the arm had been hanging down, it would have gone through, but it grazed it and the arm must have been held forward.

Q—That must have been from a side shot?

A—Yes, more from a side shot.

Q—Now, will you tell us about the one shot in left scapula?³

A—That went in approximately⁴ here, and lodged⁵ in front. When he came in, there was a bulging⁶ of about 2 inches, and you could feel the bullet immediately under the skin.

Q—Am I right in saying that none of the wounds were really serious?

A—I cannot say that. One of them, on June 1, if the bullet had gone in slightly towards the right, would have hit the heart, and, as it was, if we had not opened it, and stopped the bleeding,⁷ there would have been much more bleeding.

¹ 不能斷定。 ² 由皮內穿進。 ³ 肩胛骨。 ⁴ 大約。 ⁵ 埋入。 ⁶ 凸出處。

⁷ 流血。

Q—Yet, he was able to come to you by ricsha.

A—Yes.

Q—Now, did you ask these men what they were doing?

A—One or two I asked. I do not remember which. They said they saw a great crowd of people and simply went there to see what was happening.

Re-examined by Dr. Mei:—

Q—If that bullet had not been removed, would the man have died from bleeding?¹

A—Possibly.

Q—If the bullet had not been removed, he might have died from blood poisoning,² also?

A—As far as blood poisoning is concerned, it is a question. If the bullet was infected³ there would be blood poisoning.

Q—Of these six men you examined, aside from the two with grazes, in the four cases which necessitated more attendance,⁴ would they have died if they had not gone to hospital?

A—One with a shot through the chest was rather serious, even for two or three days after he got into hospital. There was bleeding in the lungs.⁵

¹ 倘不將彈取出, 流血太多, 有無性命之虞. ² 血毒. ³ 有毒. ⁴ 須留心醫治. ⁵ 肺中流血.

Q—Another one, with a wound through the back, which came out at the front, he was apparently quite near when the shot was fired.

A—[.....]

Q—The one shot in the right buttock, was that a serious wound?

A—No, the bullet is still inside and is near the joint. That is why we have not operated¹ on it, because it is advisable to keep away from a joint except when absolutely necessary.

Q—So that your conclusion² is, that out of six cases, four were shot from behind?

A—Yes.

(This concluded Dr. New's evidence).

**Evidence of John Wesley Cline,³ 57,
American Minister.⁴**

Question—Were you at one time President of Soochow University?⁵

Answer—Yes.

Q—How long have you been in China?

A—Since 1897.

Q—You speak and understand Chinese?

A—Yes, the local dialect,⁶ principally Shanghai.

開割。 ² 斷定。 ³ 華名為葛資恩。 ⁴ 美國教士。 ⁵ 前任蘇州東吳大學

校長。 ⁶ 上海話。

Q—Will you tell the Court where you were between 12 o'clock and 4 p.m. on Saturday, May 30?

A—I was in various places. I suppose what would be of interest here would be to relate my connection with this happening on Nanking Road. Just after 2 o'clock, I took a tram at the Hongkew Market to go to the Race Course.¹ I noticed as I went along that people were interested in posters² and papers which were being handed out. I did not see these until I got to the cross-roads at Wing On's.

Assessor:—About what time was this?

A—Something after two o'clock. I think it was about 2.30 when I got the tram at Hongkew Market. I started up the Nanking Road on the Wing On side, and, just as I was a little distance from Wing On's, I met some young boys distributing papers³ and they gave me some. As I remember, there were not more than two or three boys. They gave some papers to me, just as they did to the Chinese, without any hesitancy.⁴ I walked along slowly and looked over them and got the gist of them.⁵ When I met my American

¹ 由虹口小菜場乘電車至跑馬場。 ² 招貼。 ³ 散發傳單。 ⁴ 遲疑。 ⁵ 知其大意。

friend there I stopped and talked to him about it.¹ We also talked about the Ratepayer's Meeting¹ and various other things and walked on to the Race Course.

Q—Who was your American friend?

A—Mr. Anderson—as it happened we met just before and after the event. We were going in different directions. When I was nearly opposite the entrance to the Police Station—that is what called my attention to the fact the Station was there,—I saw a European policeman leading in two boys.² I was close enough to watch them go in. He was leading them by the collar³ that is, usually as you see them taking prisoners in. I judged, perhaps, 10 or a dozen others following on behind. I went on to the Race Course and was there about half an hour. I am sure it was just about 15 minutes after three. It was not later than half past three. I started along back to the General Hospital.⁴ I had reason to remember the time because I had an engagement at the hospital.⁴ As I came over the rise at the Race Course, I saw a crowd of people just in between Singere's and Wing On's.

¹ 納稅人會議。 ² 西捕拘去學生二人。 ³ 執其衣領。 ⁴ 公濟醫院。 ⁵ 在醫院內有約。

Q—Before you went to the Race Course on your way west, were there many people on the road?

A—Quite a crowd of people standing on the side-walk, but nothing like a mob¹ there then at all. It did not arouse my suspicions.² There were a great many people, but the streets were not filled. There was no manner of confusion.³

Q—Would you say the crowd was a normal shopping crowd?⁴

A—I do not go there very often, but it seemed to me just a big Saturday crowd. My curiosity was not aroused particularly.⁵

Q—Did you see any people bunched together in a mob or a congregation of people?⁶

A—I did not observe⁷ them as I went up, at all.

Q—Was the situation⁸ the same on both sides of the road?

A—I could not see on the other side. When I saw them taking the boys in, there was no throng.⁹ There were plenty of people but the traffic was not

¹ 並非暴動之羣衆。 ² 並不引起我的疑心。 ³ 無擾亂之狀態。 ⁴ 尋常出外購物的羣衆。 ⁵ 並不引起我的好奇心。 ⁶ 圖衆之人。 ⁷ 看見。 ⁸ 情形。 ⁹ 大隊的人。

stopped.¹ My attention was not drawn to that feature of it² at all. I noticed students distributing³ these papers, and when I saw the two boys being taken in, my reaction was that somebody was going to be unhappy.⁴ Coming back, I walked eastwards along the other side, on the Wing On side. When I first saw the crowd, a whole section seemed to be jammed between these two stores.⁵ It might have been further up. On the other side of the crowd there was no jam. Then, my attention was drawn to the papers flying in the air, and very soon, I could hear them calling out. Plenty of papers were flying in the air.

Q—At any time did you hear any cries of “Down with the foreigner”⁶ or “Kill the foreigner”?

A—I did not hear any cries at all. I was on the other side of the crowd.

Assessor:—If there had been such crowds [cries], could you have heard them?

A—That would be difficult to render judgment upon.⁷ I was approaching for some distance,⁸ and the crowd was very noisy, so that I could not distinguish⁹ the cries. I could not hear anything of the

¹ 並不阻住車輛。 ² 並不注意此點。 ³ 散發。 ⁴ 我心中感覺此事必使人不快活。 ⁵ 兩店中間之一段路極為擁擠。 ⁶ 推翻外國人的勢力。 ⁷ 斷定。 ⁸ 自遠處走來。 ⁹ 辨別。

kind. I came on down until I got right to the crowd, practically. That was just before the firing took place. So far as I know, I did not stop at all. It did not occur to me to stop.¹ I had not seen the intervening trouble,² about the students being turned back, and all that. I had lost all that. That happened while I was on the Race Course. I was as near to the crowd as you (Assessor), before the firing began, and I did not hear any cries right there. I must have been very nearly opposite the entrance to the Station³ on the other side when the firing began. I heard nothing except an uproar⁴ and shouting, and the sound of a great crowd. It is difficult to know what one was conscious⁵ of about that time. It appeared to me that a volley was fired.⁶ I was entirely unprepared to hear shots.⁷ I was not thinking of it in terms of that kind⁸ at all. I was not trying to escape⁹ the crowd which was going along on the other side. The crowd was around in such a way that I was not face to face with the opening towards the Police Station, and I could not see clearly anything that was happening over there. I could see the crowd turning back, and I did not know they were making for the Police Station.¹⁰ I thought they

¹ 並不想着不可前行。 ² 中間一段的亂擾。 ³ 準對捕房門口。 ⁴ 人聲鼎沸。 ⁵ 知。 ⁶ 排鎗。 ⁷ 想不到竟有開鎗之舉。 ⁸ 想不到如此厲害。 ⁹ 逃避。
¹⁰ 不向捕房方面走。

were just going after the policemen. 'There were 15 or 20 policemen, principally Indians.¹ I could see their uniforms.² They seemed to be pushing the crowd back.

Q—As you approached the crowd and the crowd approached you, at what speed was the crowd coming towards you?

A—I do not know. I was walking along normally.³

Q—Were they walking?

A—They were certainly not keeping step.⁴ They were pushing hard.⁵ As I came along, I was conscious of the entrance to the Station being blocked by uniformed men.⁶

Q—Did you see any rush of the crowd towards the Police or the Police Station?

A—I do not think I was in a position to pass judgment upon that. It did not occur to me that they were trying to make the Police Station.⁷ When I got to a certain point, before I got to the crowd, the firing started unexpectedly.⁸ The impression in my mind was that it was a machine gun.⁹ It sounded to me like that.

¹ 大半是印捕。 ² 制服。 ³ 尋常。 ⁴ 站住不前。 ⁵ 擠軋。 ⁶ 捕房門口有穿制服之人阻住。 ⁷ 不知道他們是向捕房衝去。 ⁸ 不防備。 ⁹ 當初我以爲是機關鎗。

Q—If there had been a rush, there would have been an impact?²

A—There might have been. Most of the crowd was on the other side. I was not afraid of it. I did not feel any personal danger or get into any buildings.

Q—You felt perfectly safe in that crowd?

A—I did not run. I was not glad I was there, but I did not go into any building. It all happened so quickly.

Q—Were you in mortal fear of your life² at the time?

A—No, I was troubled about the crowd—what it was going to do, but I did not feel any personal danger.

Q—When the firing took place, what happened?

A—They melted away³ like snow, almost. They went almost at once. I was standing right beside the wounded, practically at the beginning of the Police line.

Q—When the firing took place, in what position were you in respect to the Police Station?

A—I was not very far from being opposite the west end of it. I was not in any danger from

¹ 衝撞。 ² 性命之憂。 ³ 漸漸散去。

the shooting. There was nobody shot in my direction at all.

Q—Did you hear any warning¹ before the firing?

A—No, I suppose I could not have heard it if it had been given. I was not thinking anything about firing. I was not in a position to see all the movements of the crowd.²

Q—Prior to the firing,³ did you turn your eyes in the direction of Louza?

A—I could not say that. I saw the Policemen just before the firing standing at the gateway.⁴

Q—Did you see any member of the Police waving a pistol in warning?⁵

A—No, I did not see any indication whatever of any approaching fire.⁶ My impression was that when the firing started, I was very much surprised.⁷ My thought was that they had fired blank fire.⁸ I had no other thought whatever. I did not hear any warning given. I had that impression⁹ and I thought it even after I saw them lying down. I thought it had stunned¹⁰ them or knocked them down.¹¹

¹ 警告。 ² 羣衆的動作，我看不清楚。 ³ 開鎗以前。 ⁴ 立在門口。 ⁵ 曾否見巡捕舉鎗向衆警告。 ⁶ 不料將有開鎗之舉。 ⁷ 我甚詫怪開鎗之事。 ⁸ 空鎗。 ⁹ 感想。 ¹⁰ 使失知覺。 ¹¹ 打倒。

Q—It sounded to you just like machine-gun fire?¹

A—I am not very familiar with machine-gun fire, but that was my impression, that a blank charge² had been fired.

Q—Did you see the crowd pushing the Police at the gate of the Station?³

A—No, I did not see that. I saw them pushing west.

Q—The crowd?

A—Yes.

Q—Pushing from Wing On's?

A—Yes, I thought, perhaps, they had arrested a lot of students⁴ and this crowd was trying to take them away. That is what was in my mind.

Q—They were not actually trying to take away the arrested people?⁵

A—I could not tell you that, but that was my impression. That idea passed through my mind. I was not prepared to hear the shooting.⁶ I could not see clearly enough to see anybody attacking⁷ anybody else, but it was obvious⁸ they were not having a picnic⁹ together. I did not see any of the students or the crowd attack the police.

¹ 機關鎗聲。 ² 空鎗。 ³ 羣衆在捕房門口向巡捕衝擁。 ⁴ 拘捕許多學生。
⁵ 並不實行劫奪被捕之人。 ⁶ 不防備聽見鎗聲。 ⁷ 攻打。 ⁸ 顯明。 ⁹ 郊遊。

Q—Or offer violent resistance¹ to the Police?

A—I did not see anything of the kind.

Assessor:—Did you see the Police striking any of the Chinese?

A—No, I could not say that, either. There was a consciousness that a contest was going on.² I could not see any conflict between individuals.³

Q—From where you stood, seeing this crowd and the sound it made, what did you judge the temper of the crowd⁴ to be?

A—They were certainly very excited.⁵

Q—Were they violent?⁶

A—I did not see any violence. I did not see any evidence of violence.⁷ I was under the impression that they were pushing their way up.⁸ I had no thought in my mind about the Police Station. I did not know they were going that way. I thought they were coming my way⁹ and fully expected to pass them.

Q—Judging the situation, would you say the Police were justified in firing on the crowd?¹⁰

Mr. Maitland:—The witness cannot say that.

A—I do not know how to answer it in a technical sense,¹¹ but I did not expect them to fire.

¹ 武力的抵抗。 ² 知必有衝突。 ³ 個人與個人間並無衝突。 ⁴ 羣衆的態度。 ⁵ 激昂。 ⁶ 強暴。 ⁷ 強暴的表示。 ⁸ 我以爲他們不過欲向前進行。 ⁹ 向我所立之處進行。 ¹⁰ 巡捕應否開鎗。 ¹¹ 用法律上的用語回答。

I was shocked¹ when they did fire, and I have felt sorry ever since that they did.

Q—Did you say the crowd was cheerful?

A—I would not say that. They were not having a jollification² together. The crowd was angry, and not on pleasure bent,³ but I was not expecting shooting, and so when I saw them lying there, I did not believe that they had been shot, and I did not believe it until I went over and saw the puddles of blood.⁴

Q—Did you see any of the crowd armed with instruments?⁵

A—No.

Q—Any bamboo poles.⁶

A—I did not see anything of that kind.

Q—Any of these flags?

A—I picked up some of those flags lying on the ground.

Q—Just small sticks?

A—Yes, I saw no evidence whatever of any force of that kind being used.

Q—When the firing took place, had you come east of the Station?

¹ 驚駭. ² 快樂. ³ 行樂. ⁴ 血跡. ⁵ 執兇器. ⁶ 竹槓.

A—No, I was just getting to the edge of the entrance,¹ because when the crowd dispersed² I was right in front of the Station.

Q—Opposite the Station?

A—Yes, something like that. I was almost right in the midst of it, because when the crowd left, the dead and dying were beside me.

Q—Do you think that the crowd could have been dispersed without firing on them, if the Police had had reinforcements³ from behind and on the flank?⁴

A—I would have expected it to be. I was not satisfied with it going the way it did.⁵

Q—If a fire hose⁶ had been played upon the crowd, do you think it would have been dispersed?

A—I hope so.

Cross-examination by Mr. Maitland:—

Q—Are you aware⁷ that when a fire hose was played on the crowd on the Monday following it had no effect?⁸

A—I would much rather have seen it on Saturday.⁹

Q—Have you heard about it?

A—Yes.

¹ 捕房門口。 ² 散開。 ³ 援助之人。 ⁴ 側面。 ⁵ 如此對付，我覺很不滿意。
⁶ 救火用之皮帶。 ⁷ 知道。 ⁸ 無效。 ⁹ 星期六不能如此對付，我深為惋惜。

Q—As a matter of fact you were not paying much attention,¹ you did not know what the trouble was about, did you?

A—No, I thought I made that clear. I did not think they were charging the Police Station.²

Q—You did not realize there was a Police Station there?

A—I saw it when I went up before.

Q—The entrance to Louza is not frightfully plain³ to see until you get on to it. It does not stand out.

A—Not to those who do not visit it very much. I knew it was there, but I was not looking for it. I saw the policemen standing there.

Q—What I mean is, when you saw the crowd on the north side of the road?

A—They were all on the road, mostly bearing to the north.⁴ The road was filled right east.

Q—Until after they cleared away you did not realize how close you were to Louza?

A—I was nearer the crowd than the Station. I was watching the crowd and not the Station. I knew I was there by seeing the Policemen standing in the gateway.

¹ 注意。 ² 攻擊房捕。 ³ 惹人注目。 ⁴ 在北面。

Q—And, as you say, the crowd was between you and the Police, and you could not see.

A—Part of it was. Most of it was on the east, but a straggling element¹ was there.

Q—Are you in the same Mission as Mr. Anderson?

A—Yes.

Q—I take it² you agree with me that anybody who was on the edge of the crowd or some distance east of Louza, could not possibly see what was happening.

A—I would not attempt to say. I was west.

Dr. Mei said he had no other witnesses³ at present except the accused.⁴

Evidence of Liang Yoeh Woo⁵ (accused) aged 22, of Kiangse, student, Shanghai University.

Question—How long have you been in Shanghai University?⁶

Answer—One year.

Q—Do you remember leaving the university on the afternoon of May 30?

A—Yes.

¹ 三五成羣的人。 ² 我信。 ³ 證人。 ⁴ 被告。 ⁵ 梁郁華。 ⁶ 上海大學。

Q—Tell the Court the circumstances.¹

A—A little after 1 o'clock, a few others and I, went together to Nanking Road, with the intention of making speeches.² Some of us had made speeches about a few minutes when somebody from the Police Station arrested³ us. I had not made any speech at that time. In my group⁴ there were 7 people. We wanted to say this: "At the present time, China is poor and weak. We must waken our fellow countrymen to unite together to defend against the misery given to us by the foreigners.⁵ We must be patriotic."⁶

Q—What particular foreigners⁷ did you have in mind?

A—Japanese.

Q—Only Japanese?

A—Yes.

Q—Why Japanese?

A—Really, we do not mean to oppose the Japanese, except that our fellow countrymen has been killed by the Japanese. We must unite together to think some way to oppose them.⁸

¹ 情形。 ² 意欲演講。 ³ 拘捕。 ⁴ 一隊。 ⁵ 喚醒同胞，抵禦外侮。 ⁶ 愛國。
⁷ 指那一國的外國人。 ⁸ 聯合同胞，以謀反對。

Q—Did you have any intention with regard to other foreigners¹ than the Japanese?

A—No.

Q—What fellow countryman of yours was killed by the Japanese?

A—At a strike in a certain cotton mill² a workman named Koo Tsung Yoong was killed.

Q—Were you going to his funeral,³ or just to make speeches about his death?

A—I was not going to attend the funeral, but to tell the public how he was killed.

Q—Your group were all students of Shanghai University?

A—Yes.

Q—Were there any girls amongst them?

A—Yes, four girls.

Q—Three men?

A—Yes.

Q—When you came out of the University, did you have any weapons⁴ in your hands?

A—No.

Q—Any weapons concealed in your pockets or on your persons?⁵

A—No.

¹ 本意是否欲反對其餘的外國人。 ² 某紗廠罷工時。 ³ 喪禮。 ⁴ 兇器。

⁵ 將兇器藏於身畔。

Q—What did you have in your hands?

A—I did not take anything.

Q—Did any of your companions¹ have anything?

A—Two of them held two small banners,² on which was the legend: "Students' lecturing squad."³

Q—Were there any other lecturing groups sent out from your university?

A—Yes, 5 or 6.

Q—Prior to your leaving the university on this lecturing tour,⁴ was any meeting held about sending you out as a lecturing group?

A—No.

Q—You just came out spontaneously⁵ to lecture?

A—Yes.

Q—No previous arrangement⁶ at all?

A—No.

Q—Did you ever have any previous meeting with any other group in any other university, before starting on this tour?

A—No.

¹ 同伴. ² 小旗. ³ 上書學生演講團字樣. ⁴ 出校演講之前. ⁵ 自動的, (音 spōn-tā/nē-ūs). ⁶ 事前的佈置.

Q—Did any one order you to come out and speak?

A—No.

Q—Did any Russian organisation or Bolshevik organ¹ order you to come out?

A—No, I do not know what Bolshevism is.² I am not familiar with this term.³

Q—Were there any Russians using influence upon you to lecture?⁴

A—No, we have our own patriotism entriely.⁵

Q—Apart from patriotic sentiments⁶ and a desire to see justice worked out⁷ about this man's death, was this lecturing movement anti-foreign?⁸

A—No, not a single bit.

Q—Was there any sentiment, against the British, American, French, Italian or any other nationality?⁹

A—No, not at all, we only explained the death of Koo.

Q—Where were you lecturing?

A—In front of the Da Toong Hat-making Company.

¹ 俄人團體，或過激機關。 ² 不知何謂過激主義。 ³ 不知此字作何意義。

⁴ 運動你們演講。 ⁵ 完全出於自己的愛國心。 ⁶ 愛國的觀念。 ⁷ 公理伸張。

⁸ 此次演講是否仇視外人。 ⁹ 國民。

Q—Where was this?

A—Just a little past the New World.

Q—How long had your group been there before your group was interfered with by the Police?¹

A—A little more than 10 minutes.

Q—Who was the speaker.

A—He is not here. He was simply asking our fellow countrymen to be patriotic to the country. No anti-foreign sentiments were uttered² by him, nor any Bolshevism.

Q—Did you, or any other member of your group ever shout "Kill the foreigner" or "Down with the foreigner?"

A—No.

Q—Did you know of any other lecturing group having uttered such sentiments as these?

A—I did not hear that. I was at that place only a short time and then I was arrested by the Police about 2 o'clock.

Q—Did you hear the firing that day?

A—Yes.

Q—You were **not** in the crowd then?

A—No.

Q—Did you resist arrest?³

A—No.

¹ 被巡捕干涉。 ² 發言。 ³ 被拘時曾否抵抗。

Q—Did you beat any of the foreign or Chinese policemen who arrested you?

A—No, when they asked me to go to the Station, I said, "You be quiet and I will go."

Q—When you arrived at the Station, how many policemen did you see there?

A—About 7 or 8, two Chinese and 5 or 6 foreigners.

Q—What about the Sikhs?¹

A—Inside the gate of the Station, there were one or two.

Q—When you were being arrested, did you walk very slowly to the Station?

A—Yes.

Q—As you entered the Station gate, did you notice an iron gate² there?

A—I did not pay any attention.³

Cross-examined by Mr. Maitland:—

Q—As a matter of fact, you, with other school-boys, were trying to create a disturbance⁴ with the Japanese?

A—No, our object⁵ was to lecture, not to create a disturbance.

¹ 印度巡捕. ² 鐵門. ³ 不注意. ⁴ 煽動擾亂之事. ⁵ 目的.

Q—But you wanted to incite the workers to do more damage?¹

A—No, I was not inciting the labourers. We were only lecturing.

Q—You students have been inciting the labourers in the Japanese cotton mill for months past to strike?²

A—I know nothing about that.

Q—You told us at the beginning that you went out to talk and say that China would have to get rid of the foreigners.³ If the foreigners cause you such misery, why do you live in their Settlement?⁴

A—The place is ours; it is China's.

Q—Why do you come and live in a foreign Settlement which is set aside by China for the foreigners if they cause so much misery?

A—The place is China's, but the foreigners have not said that the Chinese should not come in.

Q—Why not go under your own Chinese authorities?⁵

A—Shanghai belonged to China and our Government has said "Let us rent it to the foreigners as a Settlement,⁶ but the sovereignty is still in our country."⁷

¹ 激動工人肇禍。 ² 罷工。 ³ 排除外國人。 ⁴ 外人既使華人受痛苦，你們何以仍居租界。 ⁵ 中國的轄境內。 ⁶ 租與外國人。 ⁷ 主權仍屬中國，(sovereignty 音 sōv'ēr-in-tī)。

Q—Will he answer the question? Why does he prefer to live under foreign rule¹ rather than to live in his own country under Chinese rule?

A—We lived here before and we have not been ordered to go out.

Q—You prefer to live under the foreigners?

A—No, it is not because I like it; it is because I have gone into this University which has put itself under the protection of the foreigners.

[Dr. Mei objected to these questions on the ground that they had nothing to do with the facts of the case—Sing Wen Pao, June 11]

Q—What do you learn at the University?

A—Chinese literature.²

Q—A lot of the students learn Russian?

A—I do not know.

Q—You do not know what the other students learn?

A—English and drawing.³

Q—What do you do with all the Bolshevik literature⁴ you have in the university? What is that for?

A—We have no Bolshevik literature in our school. All the books we have can be bought in shops.

¹ 何以寧可受外人之管理。 ² 中國文學。 ³ 圖畫。 ⁴ 過激文字。

Assessor:—Does he not know that it is against the regulations of the International Municipality,¹ which have been agreed to by the Chinese Government, for anybody to get up on the road and make a speech of that nature, or to lead a parade² without first obtaining the consent of the Police?³

A—I do not know that, because I never studied the regulations of the Police.⁴

Assessor:—There is such a regulation and if he and his fellow-students want to go out and carry on this kind of thing, they should first try to find out the regulations.

A—As we are students in a school we could not get the regulation book to refer to.⁵

Q—You went out to protest about what had happened in the Japanese mill.⁶ Is that correct?

A—Yes.

Q—He was going out on what we might describe as a mission to obtain justice for the workers?⁷

A—Yes.

¹ 違反公共租界的章程。 ² 率領大隊之人遊行。 ³ 未得捕房之許可。 ⁴ 捕房章程未曾讀過。 ⁵ 章程書無從找得。 ⁶ 抗議日本紗廠事件。 ⁷ 出發之任務，是否要爲工人伸張公道。

Q—Did it ever occur to him that to determine what is just you must hear both sides of the matter before rendering a final decision?¹

A—Yes, naturally we know that, but our countryman has been killed and the other party did not suffer anything;² so it did not seem to be very just.

Q—Does he know whether an investigation³ has been held to discover whether the Chinese was innocently killed in this mill?⁴

A—I know something about that.

Q—Does he happen to know that the cause of the death of this Chinaman was that the Japanese had closed the mills because the workmen had made certain demands⁵ and the workers went back to the mill and drove out the Japanese and destroyed Tls. 52,000 worth of property and machinery⁶ and attacked the Japanese and the Indian watchman, and threw one of the watchmen into the creek?⁷ All this happened before this Chinese was killed. Does he know that?

A—I am afraid it is not a fact.

Q—Has he held an investigation?⁸

¹ 曾否想到主張公道，須聽兩方面的理由，始能斷定。 ² 對方未受損失。

³ 調查。 ⁴ 華人是否無辜被殺。 ⁵ 工人提出幾種要求。 ⁶ 損壞機器及財產。

⁷ 小浜。 ⁸ 調查。

A—What I know is this, some of the workmen in the Japanese mill went back to get work and the Japanese authority of the mill refused to receive them.¹ Afterwards, they went back in day time and the Japanese authorities arranged to pay all the workmen half wages.² Then the workmen on night duty went to the mill intending to do work.³ They were again refused⁴ by the Japanese and then they said "If you refuse to give us work, you must give us half wages,⁵ the same as the day men."⁶ The Japanese also refused this, and the night workmen said, "Since we are all workmen in your mill, we must receive equal treatment."⁷ If the day men receive half pay, we must also." The Japanese refused and they had an argument⁸ and then they had a fight.

Q—How old is he?

A—22.

Q—He, a young student, aged 22, is starting out on a career of speech-making,⁹ trying to remedy an industrial problem that has puzzled the best brains of the world¹⁰ for 700 or 800 years?

A—Yes.

¹ 紗廠管理人拒絕之。 ² 日本管理人設法付工資之半數。 ³ 夜班之工人
欲去工作。 ⁴ 拒絕。 ⁵ 工資之半數。 ⁶ 日班。 ⁷ 平等待遇。 ⁸ 爭論。 ⁹ 擔任
演講之事 ¹⁰ 欲解決世界各國從來不能解決的工業問題。

Q—Did it ever occur to him to ask more mature Chinese of older years and with experience of life,¹ to attempt to settle these problems for them²—to do that rather than what they have done?

A—Yes, I know this, but to solve this problem³ is very hard. I know young men like us cannot do so, but we go out with the idea of wakening our fellow countrymen⁴ and trying to get a better understanding of the position of the workmen.⁵

Assessor:—Tell him I would like to leave this remark in his mind.⁶ In future, when they want to attempt anything like this, they should first consider whether they are going to violate any law or rule that is in existence,⁷ and, secondly, they should take it up with more mature organisations like the Chamber of Commerce or the Guilds⁸ whose members are of mature years and find out if they are within the law.⁹ Being children almost, they should consult¹⁰ Chinese organisations whose members are older.

A—Yes.

¹ 曾否想到應向年事較長，經驗較富之人訊問。 ² 請彼等代謀解決此種問題的方法。 ³ 解決此種問題。 ⁴ 欲喚醒國人。 ⁵ 使知工人所處之地位。 ⁶ 使記得此語。 ⁷ 嗣後如欲爲同樣之舉動，須考慮是否違反現行之章程或規則。 ⁸ 須請商會或公所等擔任，蓋其經驗較富也。 ⁹ 是否在法律範圍以內。 ¹⁰ 訊問。

Magistrate:—Did you hear what Mr. Jacobs told you? Do you agree?

A—Yes.

Magistrate:—I advise you that a patriotic movement¹ is all right, but you must do it in a better way. Follow the ordinary procedure² and consult with your elders³ and no such thing as this will happen. A patriotic movement is all right, but you must do it in the right way.

This concluded Wednesday's proceedings⁴—
6.20 p.m.

Case continued at 9.30 a.m., Thursday, June 11, 1925.

On the resumption⁵ Dr. Mei said he wished to call Sergeant Willgoss, and he would also ask the Court to visit the scene of the shooting.⁶ The Court decided not to comply with the application⁷ as it was not going to pass on the action of the Police.⁸

Evidence of Dr. Tsung Lieh Zung,⁹ Aged 29, Paulun Hospital¹⁰

Question—You have been at Paulun Hospital for some years?

Answer—3 years.

¹ 愛國運動。 ² 照平常之步驟。 ³ 請年長者指導。 ⁴ 審訊終結。 ⁵ 繼續開審。 ⁶ 請審官到現場地點勘查。 ⁷ 不允其請求。 ⁸ 不欲判斷捕房之行爲是否正當。 ⁹ 曾立羣。 ¹⁰ 寶隆醫院。

Q—Did you attend any of the wounded¹ brought to Paulun Hospital?

A—Two of them. One was named Sung Pau Sung.² The wound was not serious³—his life was not in danger.

Q—Was the wound caused by a bullet⁴ from behind or in front?

A—One wound was on the head and another above the left ear about 4 centimetres⁵—2 centimetres long 2 or 3 millimetres⁶ in width. The wound was from front to behind on the level.⁷ At the two ends, it was not so deep as in the middle.

Q—Would you say the bullet came from behind or from the front?

A—That, I cannot say.

Q—What is the other case?

A—There was a wound on the left shoulder, small, only it did not look like a hole caused by a bullet.⁸

Q—What was it caused by?

A—That, I cannot say.

¹ 曾否醫治受傷者。 ² 陳寶聰。 ³ 不重要。 ⁴ 鎗彈。 ⁵ 法國長度名。 ⁶

同上 ⁷ 平行的。 ⁸ 不像鎗彈之傷口。

Q—Did you examine a man named Sung Hoh Sung,¹ 19 years old?

A—Yes.

Q—How was he shot?

A—In the back left scapula.² There was only one wound on his body. Underneath the skin of the axilla,³ between the 3rd and 4th rib.⁴ After we operated,⁵ we found the bullet and took it out. We did not know at first, whether it had penetrated the lung.⁶

Q—Has he still fever?⁷

A—Very high fever. After we attended⁸ him, his temperature was low,⁹ but it has now gone up again. I do not know whether he will get worse or not. There is a good deal of pus in the wound.¹⁰

Q—What causes pus or fever?

A—When a bullet penetrates the body,¹¹ some germs¹² always get into the body and cause pus.

Q—Would you say the bullet was infected?

A—All we can say is that it is caused by the bullet. We cannot say the bullet, itself, can give infection,¹³ but the germs carried in by the bullet will carry infection.¹⁴

¹ 陳鶴羣(?) ² 肩胛骨. ³ 腋下. ⁴ 肋骨. ⁵ 開割. ⁶ 穿肺. ⁷ 熱度.
⁸ 醫治. ⁹ 熱度漸平. ¹⁰ 創口有膿. ¹¹ 射入體內. ¹² 微生物. ¹³ 有毒.
¹⁴ 毒氣.

Q—Is the wound near the lung?

A—We found it had penetrated the left wing of the lung.¹ It just touched the left side of the lung.

Cross-examined by Mr. Maitland:

Q—Would you say this wound was caused from a shot sideways?²

A—The entrance was at the back of the left shoulder.

Q—What was the course of the bullet through the body,³ sideways or straight?

A—All that I know is that it went in by the wound of entrance.

Q—You know a lot more than that. We want you to tell us honestly and truthfully about it.

A—I am telling the truth. I do not know how it travelled.⁴

Q—You cannot say from what direction the bullet came?

A—No.

(This concluded the evidence⁵ of Dr. Tsung.)

Dr. Mei made an application⁶ that the Court write a letter to the District Procurator in the

¹ 穿過肺的左葉, ² 側面的, ³ 鎗彈在體內進行之方向 ⁴ 行動, ⁵ 供詞終結, ⁶ 請求.

Chinese City,¹ to come to the Court and testify.² He was instructed that there were five corpses in his care³ in the City, and photographs⁴ had been taken. He was informed that the wounds of entrance were in the back.⁵ The application was refused,⁶ the Assessor stating that he wished it made clear on the record⁷ that the reason the Court refused the application was that it was not a Court of Enquiry to decide whether the Police were justified or not.⁸

Evidence of Cha Ong Li,⁹ (accused), 24, Canton, Student, Shanghai University.

Q—How long have you been at Shanghai University?

A—Two years.

Q—What do you study there?

A—English department.¹⁰

Q—Do you remember leaving the university on May 30, shortly before or after tiffin?¹¹

A—I left my school a little after 1 o'clock. I was at that time accompanied by 12 schoolmates.¹² We went to the vicinity of the New World and

¹ 檢察廳長。 ² 證明。 ³ 有尸首經該員保管。 ⁴ 照相。 ⁵ 鎗彈入口皆在背後。 ⁶ 不准。 ⁷ 在記錄上寫明。 ⁸ 本公堂非審理捕房行為是否正當之庭法。
⁹ 蔡鴻立。 ¹⁰ 英文科。 ¹¹ 午膳。 ¹² 有同學十二人同去。

Thibet Road.¹ We were prepared to go there to give speeches. The problem² was that a Chinese workman had been killed by Japanese—a man named Koo working in a Japanese mill.

Q—How did that concern you as a student?³

A—I am a Chinese and he is a Chinese. If our brothers had been killed by others, we have to awaken our fellow-countrymen.⁴ I do not know if there were any other groups. There was no previous meeting⁵ of students in our school before we started on the lecture tour.⁶

Q—Was there any meeting in any other place?

A—No.

Q—You just got together and started off to lecture on this subject?

A—Yes.

Q—Your school is a co-educational institution?⁷

A—Yes.

Q—In your party were there any girl-students?

A—No.

Q—Who was the speaker of your party?

A—We had not yet given a speech. We had just arrived at the New World on the side of the Race Course.⁸

¹ 新世界與西藏路左近。 ² 問題。 ³ 你是學生，此事與你有何關係。 ⁴ 喚醒同胞。 ⁵ 事前的集會。 ⁶ 出外演講。 ⁷ 男女同學的學校。 ⁸ 跑馬廳。

Q—When did you arrive?

A—Just before two o'clock.

Q—Which policeman interfered¹ with you?

A—A foreign policeman who wears glasses,² accompanied by two Chinese policemen.³ I could not recognise the foreigner.

Q—What did they do?

A—The former asked the Chinese policeman to arrest us⁴ and we went with them.

Q—Did you resist⁵ the Police?

A—No.

Q—Did the Police tell you why you were arrested?

A—When we were arrested, they asked us if we knew the regulations of the International Settlement.⁶ I answered "I do not."

Q—Your companions followed you to the Police Station?

A—Yes.

Q—Was any resistance⁷ made to the Police Station?

A—No.

¹ 干涉. ² 戴眼鏡. ³ 偕同華捕二人. ⁴ 西捕令華捕將我們拘捕. ⁵ 抵抗. ⁶ 知道公共租界之章程否. ⁷ 抗拒.

Q—Were you armed with any instruments of violence?¹

A—No.

Q—Did you have any banners² in your hands?

A—I was the only one in our party who held a small flag.

Q—What was the legend³ on it?

A—"The Students' Lecturing Squad."⁴

Q—What were you doing when you were arrested?

A—At that time we were walking along and wanted to find a place to give a speech.

Q—Did your group, or any other group, have any intention to commit violence or cause a breach of the peace in the Settlement?⁵

A—No, we only wanted to give a speech in a very peaceful manner.

Q—Was anybody in your group bellicose⁶—wanting to fight or looking for trouble?⁷

A—No.

Q—When you started out to lecture were you anti-foreign?⁸

A—No.

¹ 帶兇器否。 ² 旗。 ³ 上面所寫的字。 ⁴ 學生演講團。 ⁵ 有無在租界內暴動或擾亂秩序的意思。 ⁶ 好爭鬪的, 喜肇事的。 ⁷ 肇禍。 ⁸ 排外。

Q—Were you in any way actuated by Bolshevik or Sovietistic sentiments?¹

A—No, I don't know what Bolshevism is.

Q—Was there any shouting before you were arrested?

A—No.

Q—Was there any disorder² whatever?

A—No.

Q—What did your companions follow you for?

A—To enquire why we were arrested.³

Q—Did they cause any trouble or disturbance⁴ in the street?

A—No.

Q—Do you remember passing under a gate where there were two heavy iron doors?⁵

A—I did not take any notice.

Q—You were held by the collar?⁶

A—Yes, at first, then I said, "You need not do that, I will go with you."

Q—You were kept in the station after being arrested?

A—Yes.

¹ 受過激思想之指使。 ² 秩序禁亂。 ³ 問明被捕的理由。 ⁴ 擾亂。 ⁵ 大鐵門。 ⁶ 被拉住衣領。

Q—Did you hear any firing in the Station?

A—Yes.

Q—Did you hear a lot of commotion¹ outside before the firing?

A—I did not hear that.

Q—Did any of you ever give voice to such sentiments² as “Kill the foreigner,” “Down with the foreigner”?

A—Not at all.

Q—Did any of you beat the foreign police?

A—No.

Cross-examined by Mr. Maitland:—

Q—Do you want to suggest that all you students were lecturing all over the Settlement, or trying to, and there were no arrangements to do so?

Assessor:—Students from all the various colleges and schools, make that clear.

A—I do not understand.

Q—Was it quite accidental,³ no consultation before?⁴

A—I did not know any of the other students were going out to lecture.⁵ At that time, I only knew that some persons from my school were going.

¹ 騷擾. ² 喊出類此之意思. ³ 偶然的. ⁴ 事前未曾接洽. ⁵ 演講.

Q—Are you prepared to swear¹ you did not receive instructions² from the Peking Students to lecture?

A—No.

Q—You say you have been learning English for two years?

A—Yes.

Q—Let us see if you can understand me in English. Answer me in English. Did you, have any pamphlets,³ with you?

A—(In English) No, I have no paper, one flag only.

Q—What else have you learned besides English?

A—(Interpreted)⁴ Nothing else.

Q—Is that all you study at your University?

A—Yes.

Q—According to the Ministry of Education Ordinance governing universities,⁵ you should have a department of letters and a department of science, a department of law, commerce, medical science and agriculture.⁶ Have you any of these in your University?

¹ 宣誓. ² 命令. ³ 傳單. ⁴ 繙譯. ⁵ 教育部大學校令. ⁶ 文科, 理科, 法科, 商科, 醫科, 農科.

A—We have four courses¹ in our school. Departments of Chinese literature, English literature, Sociology,² and Art.

Q—None of the others mentioned in the ordinance?³

A—Not yet established.⁴

Q—You have a kind of book shop, or a stall⁵ where people can buy books?

A—All the books used by us were purchased⁶ from outside.

Q—You can buy books at the University?

A—There is no place to buy books.

Q—Can you tell me how it was that the Police did buy books at your University, some time ago.

A—In regard to the purchase of books, I do not know.

Q—Who is it that lectures on Communism⁷ at you school?

A—There is no such teaching, no such principles⁸ in our school.

Q—What are all those letters and pamphlets⁹ doing in your school? All the literature produced by Inspector Reeves?¹⁰

A—I do not know.

¹ 科目. ² 社會科. ³ 法令. ⁴ 尙未成立. ⁵ 書店. ⁶ 買. ⁷ 演講共產主義. ⁸ 主義. ⁹ 傳單. ¹⁰ 西探所提出的書籍.

Q—Who is Professor Kiang? (Shown the address on a letter).

A—This name I cannot recognise.¹

Q—Have you ever seen a Bolshevik book² at all in your University?

A—I have not seen any book like that.

Q—Never even been to the book-store?³

A—I purchased my books outside.

Q—Do you remember the Police coming to the University some months ago and seizing a lot of books?⁴

A—I did not know.

Q—Did you ever hear of anybody called Zau Lih Tsz?⁵

A—I know his name. He is the acting president.⁶

Q—Did you ever hear that he got into trouble and came to the Mixed Court?

A—Yes, I saw that in a newspaper.

Q—Do you know what he came about?

A—I know he had a law-suit⁷ in this Court. I do not know what the cause was.

¹ 辨認. ² 過激主義的書籍. ³ 指校內之書店. ⁴ 抄出許多書籍. ⁵ 邵力子. ⁶ 代理校長. ⁷ 訴訟.

Q—You had not the least interest?¹

A—I would say that anything not in connection with this case I shall not answer.²

Q—You mean to say that over 300 Bolshevik books were brought to the Court from that University and you knew nothing about it?

A—I am a student in the English department attending my classes. I do not know anything of this kind of book.

Q—He knows perfectly well—the books were open to every student in the University to see.

A—If anyone wishes to see, of course, he can. A student in the university must have research work³ for every kind of knowledge, and he must prepare himself.

Q—You say you are perfectly innocent,⁴ that you were not trying to make any trouble with the Japanese on this Saturday?

A—We never meant to use force.⁵

Q—Did you try to make trouble with the Japanese?

A—No, we went to speak with our own countrymen.

¹ 並不注意, ² 對於本案無關係的問語, 我不願回答. ³ 參考, ⁴ 無罪.

⁵ 用武力

Q—Did any of your University try to make trouble with the Japanese during the strikes?¹

A—I do not know that, nor our group.

Q—In fact you are perfectly innocent and do not know anybody that has done anything wrong?

A—Yes.

Mr. Maitland:—Perhaps you will get some wings in the next world.²

Re-examined by Dr. Mei:—

Q—The school has only been in existence³ 1½ years?

A—About 3 years.

Q—It is not a complete university of mature growth⁴ like St. John's, or any institution⁵ like that?

A—Not yet completed.

Q—That is why you have not separate departments of law, engineering,⁶ science, etc.

A—Yes.

Magistrate:—Is there such a custom in the interior that students will give lectures and make up parades?⁷

A—Yes, but not on the same day.

¹ 罷工。 ² 本句係諷刺之語，猶言 Perhaps you will become an angel in the next world 你來世當成一神聖的天使了（喻其無罪也，天使有wings，故云）。 ³ 成立。 ⁴ 規模尙未完備。 ⁵ 學校。 ⁶ 工程科。 ⁷ 中國內地有無學生演講及遊行之習慣。

Q—Was there any meeting at which the question of the consitution of the groups was discussed and what places they would go to?¹

A—No.

Q—Not a few days prior² to this?

A—No, we never had any meeting.

(This concludes the evidence of this accused.)

Evidence of Sgt.³ Willgoss attached to Louza Police Station, British subject, aged 25.

Q—How long have you been in the Police Force?

A—About 2½ years.

Q—On May 30, between 1 and 4 o'clock, were you the Sergeant on duty in the charge room?⁴

A—Between 1 and 10 minutes to 2, I was away from the office at tiffin.⁵

Q—Are you sure you returned at 1.50?

A—Yes.

Q—At that time, did someone come in to report a commotion⁶ on Nanking Road?

¹ 組織演講團，及指定出發之地點。 ² 以前。 ³ —Sergeant 三道頭西捕。

⁴ 捕房寫字間值差之巡捕。 ⁵ 午膳。 ⁶ 擾亂。

A—A Chinese sergeant¹ reported that speeches were being made and I informed Inspector Everson by telephone.² He said he was coming down straight away³ to see about it, and he went out with S. I.⁴ Shellswell and Constable⁵ Stevens, and I think he met one of the detectives⁶ on the way out. I did not see them again. The Chinese sergeant followed a few minutes after. Det.⁷ Tabrum came in, but he must have gone out again because later he brought some men in, I did not see him go out. There were so many coming in, that I did not know who was bringing them all.

Q—Ordinarily⁸ how many police are there in Louza?

A—On duty at that time, only myself and P.C.⁹ Stevens were on duty. He was relieving me while I went to tiffin.¹⁰ When the report came in we were both in the charge room.¹¹

Q—How many foreigners live in the compound?¹²

A—14 or 15 I think, including the detectives and the Inspector.¹³ I do not say they were there at the time.

¹ 三道頭華捕。 ² 我即用電話報告捕頭。 ³ 立即。 ⁴ =Sub-Inspector 副捕頭。 ⁵ 西捕。 ⁶ 出外時又遇偵探一人。 ⁷ =Detective 偵探。 ⁸ 平時。 ⁹ =Police Constable 西捕。 ¹⁰ 我去午膳時由他代理。 ¹¹ 捕房之寫字間。 ¹² 捕房境內有西人幾人居住。 ¹³ 偵探與捕頭在內。

Q—What proportion of them are usually to be found in the compound?¹

A—You cannot say. We do not know whether they are in or not.

Q—How many Sikh policemen?²

A—I do not know.

Q—Approximately?³

A—I might make a mistake, I have not got any idea, I have never been to the Sikh quarters.⁴

Q—How long have you been assigned to Louza?⁵

A—About a year.

Q—You mean to say that in one year you do not know how many Sikhs are available?⁶

A—It is not my business. I am only a sergeant.

Q—Would you say there were 20 to 50?

A—I suppose, including night duty,⁷ there might be from 20 to 50.

Q—How many Chinese constables and sergeants?⁸

A—I do not know any of these figures.⁹ They do not interest me,¹⁰ it is not my business.

¹ 其中有幾人常在捕房內。 ² 印度巡捕。 ³ 大約。 ⁴ 印捕之住所。 ⁵ 派往老關捕房。 ⁶ 共有印捕幾人。 ⁷ 夜差。 ⁸ 華捕。 ⁹ 數目。 ¹⁰ 與我無關。

Q—Would you say there were about 50?

A—There may have been.

Q—There is a gateman, his assistant, the interpreter¹ and servants and coolies?

A—Yes. I do not know how many coolies there are. At that time I do not think there were many. Some of the men have a boy and coolie between them.² I do not know how many there are. Some are station coolies, and others are servants paid by the men.

Q—So, ordinarily, there are from 50 to 100 people living in the Station?

A—There might be that.

Q—From amongst that number, usually a good percentage are available for duty or subject to call.³ What proportion would you say?

A—Not one half. At least one half are on duty, and a quarter may be out on leave,⁴ maybe more than a quarter.

Q—Charge room is 100 to 150 feet from the side-walk on Nanking Road?

A—Yes.

Q—And about 25 to 30 feet from the charge room looking towards Nanking Road there is a

¹ 翻譯員。 ² 有幾人合雇侍者及苦力各一人。 ³ 大部份可隨時召集。擔任職務。 ⁴ 四分之一落差出外

very heavy brick gate, and under that gate a pair of very heavy iron doors?¹

A—Yes.

Q—Do you know whether there is a lock² to those gates?

A—There is a padlock attached.³ There is a bolt⁴ on the inside.

Q—So these doors could be instantly used to shut the compound from the roadway?⁵

A—Yes, if necessary. I have never seen them closed yet.

Q—Do you say it can be done without trouble?

A—They should be in working order.⁶

Q—From this gate with the iron doors, it would be about 100 feet to the roadway?

A—Yes.

Q—The iron doors open inside?

A—Yes.

Q—Between the doors there is a space of about 8 or 9 feet so that a motor⁷ can pass through without trouble?

A—Yes.

¹ 磚砌之大門口及鐵門兩扇。 ² 鎖。 ³ 附有洋鎖一個。 ⁴ 鐵門。 ⁵ 可將門立刻關閉，使捕房與馬路隔絕。 ⁶ 未壞。 ⁷ 汽車。

Q—At the roadway from Nanking Road, leading in, it would be about 15 feet in width?

A—Yes, about that.

Q—This 15 foot roadway is flanked on either side by a house?¹

A—No, there is an alleyway² on either side. The east side is partly flanked by a house. On the other side there is an alleyway with a fence except on the corner near the roadway, where there is a gate house.

Q—When the iron gates are closed, could anyone gain entrance to the compound?³

A—Yes, easily—there is a wall there. It would be easy for a man to climb it provided⁴ he had a box or anything like that.

Q—They would have to jump from the house?

A—I could do it myself.

Q—That is the only way of getting into the compound by scaling the gate⁵ and jumping on to the wall by means of a box?

A—They could not scale it without the assistance of a box or ladder.⁶

They must have some sort of assistance.⁷

¹ 兩旁皆有房子。 ² 巷。 ³ 走進捕房境內。 ⁴ = if. ⁵ 爬上鐵門。 ⁶ 不用木箱或梯子不能爬上。 ⁷ 扶助。

Q—If there was a crowd?

A—It would be just as easy, they could get on each other's backs.

Q—During this trouble between 1.50 and 3.45, were those gates ever closed?

A—I never gave any orders to close them.

Q—If they had been closed, there would have been a grating sound¹ which you could have heard?

A—I do not know, I have never heard them closed.

Q—So far as you know, they were not closed during the trouble on this day?

A—They may have been, I do not know.

Q—From your desk in the charge room, could you command a view of those gates?²

A—No, it is to the left, and behind the door.

Q—If you stepped out,³ could you see them?

A—Yes, if I went into the roadway.

Q—If you stepped to the door?

A—Yes.

Q—At 1.50, when these students were marched in,⁴ they were closely followed about 6 others?

¹ 軋軋之聲。 ² 由寫字桌能否望見鐵門。 ³ 走出。 ⁴ 被押入捕房內。

A—Yes, and, straggling behind them,¹ there was another 5 or 10. In a quarter of an hour, the charge room was filled.² They came in very rapidly.

Q—They came in without being arrested?³

A—Some of them.

Q—Did they appear to be orderly?⁴

A—Not as they should have been in a Police Station.

Q—Were they violent or resisting?⁵

A—No, but only they wanted to speak to the prisoners. They would not talk to the Police in the Station. They started making a noise and those who were not arrested wanted to be arrested.⁶ They said "We are all the same" in English.

Q—Were any arms⁷ taken into the Police Station?

A—Only those in the possession of the Police.

Q—Only those bamboo sticks with the flags attached?⁸

A—Yes.

¹ 在後面跟隨。 ² 一刻鐘後寫字間已人滿。 ³ 拘捕。 ⁴ 守秩序。 ⁵ 強暴或抵抗。 ⁶ 未遭拘捕之人亦欲自首。 ⁷ 軍器。 ⁸ 張旗幟之竹竿。

Q—Was the telephone wire operating all right?¹

A—Yes, but there was so much noise that I could not hear a thing. It is a desk telephone.²

Q—Is there a switch-board connection?³

A—Yes. It is a little box built in the corner with glass. It is very noisy if there is any noise in the Station.

Q—If there was too much noise you could have gone into the Inspector's room?

A—No, the only telephone is in the charge room, except the one in the Inspector's quarters⁴ on the other side of the compound.⁵

Q—In case of necessity,⁶ you could have gone to the Inspector's quarters and telephoned from there?

A—No, the Inspector's is a private telephone⁷ connected direct to the charge room⁸ and cannot be used if the charge room telephone is out of order.⁹

Q—About how many were there in the Station when you said the charge room was filled?

A—50, 60 or 100. You could not move in front of the desk. There was nobody behind the

¹ 電話線可通話否。 ² 桌上用之電話。 ³ 電話總線。 ⁴ 捕頭之住所。 ⁵ 捕房以內。 ⁶ 於必要時。 ⁷ 自備之電話。 ⁸ 與寫字間之電話接連。 ⁹ 損壞。

desk except myself. When the first 42 came in, we put them in the cells¹ and the charge room filled up again.

Q—How many people can the cells accommodate?²

A—About 60, I think, if necessity arises.

Q—The telephone was never interfered with?³

A—No.

Q—Were you on duty from 2 o'clock until about 4?

A—Yes, I signed off duty⁴ at 4 p.m.

Q—You were sitting at the desk all the time?

A—Yes, sometimes I went to the public telephone on the wall but never outside the charge room.

Q—Is there a public telephone, separate from the one you mentioned?

A—Yes. One is a private telephone.

Q—Did you ever call for reserves⁵ at all during those two hours?

A—I am not allowed to call out reserves.⁶ I called every one on duty⁷ and I informed Central and the Commissioner.⁸

¹ 拘押所。 ² 拘押所可容幾人。 ³ 被人弄壞。 ⁴ 簽字銷差。 ⁵ 召集後備
巡捕 ⁶ 後備隊我無權召集。 ⁷ 值差之人。 ⁸ 報告總巡捕房與總巡。

Q—Do you say you called up Central?

A—Yes.

Q—What for?

A—To inform them that demonstrations¹ were taking place.

Q—You knew there was a crowd gathering outside on Nanking Road?

A—I heard so, and afterwards I could hear them. At the beginning I could not hear them.

Q—You simply informed Central about that fact?

A—Yes, about the demonstrations. I knew there were demonstrations because some of them had been arrested.

Q—Did you ask Central to send any assistance?²

A—I did not think we would need assistance. I did not know how bad things were outside.

Q—Because you thought you would not need assistance, you did not call for it?

A—No, it was not altogether my duty to call for assistance.

¹ 大示威. ² 援助.

Q—Were you ever commanded by the inspector in charge to telephone for assistance?¹

A—No, I saw very little of the inspector in charge. He was outside on duty.

Q—Is Inspector Shellswell your superior² in the Station?

A—Yes.

Q—Did he instruct you to telephone?³

A—No, he was outside all the time.

Q—There is a fire hose⁴ in the compound?

A—Not in the compound, in the quarters.

Q—And there is a hydrant?⁵

A—Yes, in the compound.

Q—Did you ever use that hose?

A—For washing down the compound,⁶ yes.

Q—Was that fire hose used on that day?

A—It was got out about 4 o'clock after the firing.

Q—It was not used before?

A—No.

¹ 捕頭曾否令你打電話求援。 ² 上司。 ³ 令你打電話。 ⁴ 救火皮帶管。

⁵ 太平龍頭 ⁶ 將空場沖洗。

Q—Was the Chinese staff¹ ever called upon, people like the interpreter² and the gateman, the servants and the Station coolies?

A—No. The servants, never. The servants were all in the background.³

Q—In case of absolute necessity, they could be called upon for Police duty?⁴

A—Everybody could be called upon if necessary.

Q—So far as you know, they were in the charge room⁵ between 2 and 4?

A—They may have gone out. I was so busy I do not know where they went.

Q—You said the gateway was about 8 or 9 feet in width?

A—Yes.

Q—Inspector Everson told us there were about 11 Sikhs and 12 Chinese at the outside gate besides himself and P.C's.⁶ Stevens and Cole. These 27 men could have retreated⁷ back to the iron gate and could have barred the gate⁸ without even closing it?

A—If there was nothing behind them, yes.

¹ 捕房華員。 ² 繙譯。 ³ 後部。 ⁴ 於萬不得已時可否召集，叫他們擔任巡捕的職務。 ⁵ 寫字間。 ⁶ = Police Constables 西捕。 ⁷ 退後。 ⁸ 將門口欄住。

Q—If they closed the gate, they could have stepped behind it and anyone attempting to scale the wall,¹ could have been shot or prevented from getting over?²

A—Yes.

Q—Did you hear the firing?

A—Yes.

Q—Did you hear one shot first?

A—Several together and then several together again, two volleys.³ The first I heard was a volley.

Q—Are there any such things as blank shots⁴ in the Station?

A—Not to my knowledge, I have never seen them.

Q—You have been on duty at Louza for nearly a year?

A—Yes.

Q—Where did you spend the balance of your time⁵—1½ years?

A—A Constable in Wayside.⁶

Q—On outside duty?

A—Yes. Most of my duty in Louza has been outside. Last month was the first time I was inside.

¹ 爬牆. ² 使他們不能爬進. ³ 排槍. ⁴ 空彈. ⁵ 其餘的時間. ⁶ 楊樹浦.

Q—Will you tell the Court, in case you should meet with a gang of armed robbers,¹ would you first shoot in the air to order them to stop?

A—I should certainly shoot straight at them to kill.²

Q—Did you ever hear of the Police firing in the air to dissuade rather forcibly³ or to stop armed robbery?⁴

A—Never.

Q—Have you ever met a mob?⁵

A—No.

Q—Were there any loafers or ruffians associated with these students?⁶

A—Not at the time, afterwards there were.

Q—So far as you know, they were all students?

A—On the Saturday, yes.

Q—You are quite sure there were no firearms⁷ or dangerous weapons?⁸

A—I did not see them if there were.

Cross-examined by Mr. Maitland:—

Q—It has been suggested to you, that the Police could have retired behind the gate⁹ and stayed inside the Station. Do you suggest it is the

¹ 倘遇一隊帶兇器的強盜。 ² 必要對着他們射擊，將他們擊死。 ³ 用武力威嚇。 ⁴ 止停強盜搶劫。 ⁵ 暴動的羣衆。 ⁶ 有無流氓或無賴漢混雜在學生中間。 ⁷ 鎗。 ⁸ 兇器。 ⁹ 退至門後。

duty of the Police to hide in the Station¹ and leave Nanking Road in the hands of the mob?²

A—Certainly not. I was asked if it was possible and said "Yes".

Q—Furthermore, if the Police did that, would the authorities be justified in dismissing them?³

A—It is almost a breach of duty.⁴

Q—As a matter of fact, also, after this firing, a lot of Russians appeared and were brought into the Station and questioned?

A—Yes.

Q—What were they brought in for?

A—For loitering on the scene.⁵

Re-examined by Dr. Mei:—

Q—How long were they detained?⁶

A—Long enough to question them. One was detained and charged with returning from expulsion.⁷

Q—How many were there?

A—5 or 6.

Q—Did you ascertain that they were connected in any way with the demonstrations?⁸

¹ 匿在捕房內。 ² 將南京路交與暴亂的羣衆。 ³ 巡捕如有此種舉動，應被上司革職否。 ⁴ 不盡職。 ⁵ 在出事地點閒蕩。 ⁶ 拘留。 ⁷ 內有一人，前曾犯案被逐出租界，故拘押之。 ⁸ 彼等與示威運動有何關係，曾否查明，(ascertain 音 äs'ër-tän')。



A—No. I was given instruction by D.S. Papp that they were to be released.¹

Q—You say it was possible for the Police to have retreated?²

A—There was nothing in the way as far as I know. It is very easy to walk. It is just the same as walking on any other road, but their object was to keep the people out,³ not to let the people in.

Q—You disagree with Inspector Everson that it was dangerous for them to move?

A—Sure, it was dangerous. They would encourage the crowd,⁴ but that does not make it impossible, although it was dangerous.

(This concluded the evidence of Sergeant Willgoss.)

Evidence of Yui Mai Vai,⁵ accused, of Anwhei, fitter,⁶ Shanghai Native City

Question—Did you know on this Saturday that there were any lectures⁷ coming on?

Answer—No.

Q—When did you come out from your home in the City?

A—About 2 o'clock.

¹ 西探命我將彼等開釋。(D. S. = Detective Sergeant 西探目). ² 退後。

³ 其目的欲將羣衆阻住。 ⁴ 壯羣衆之氣。 ⁵ 俞茂懷。 ⁶ 機器匠。 ⁷ 演講。

Q—Where did you go?

A—From my home, I went to Marche de l'Est,¹ and then along the Bund and Nanking Road. I took a No. 1 tram car and when I reached Wing on's, it was a little after 3 o'clock.

Q—What did you see in front of Wing On's?

A—I saw a lot of people, about 2 or 3 hundred.

Q—Were there any students among them?

A—Yes. I could not tell definitely² but I think a little more than 10 students.

Q—What were the students doing?

A—I saw some of them held by the Police by the collar.³

Assessor:—Was he still in the tram car?⁴

A—Yes.

Q—Where was the car standing?

A—In front of a teashop.⁵

Q—Did you come out from the car?

A—Yes.

Q—Are you connected or concerned with the students⁶ in any way?

A—No, I am not.

¹ 十六浦。 ² 清楚。 ³ 被巡捕扭住衣領。 ⁴ 電車。 ⁵ 茶館。 ⁶ 與學生有無關係。

Q—Where did you go after that?

A—A lot of people were following the students, so I followed the crowd.

Q—Did you just want to see why the students were arrested?

A—Yes.

Q—At that time, how many people were on the road?

A—Over 1,000.

Q—Could you see the entrance¹ to Louza Police Station then?

A—No.

Q—What did you do after that?

A—First of all, the crowd was going forward and then they were coming back. When the students fell back,² I, also, fell back. Afterwards, we heard cries among the people that the students had been beaten by the Police and the crowd proceeded forward³ again. I was pushed along by the crowd, and came as far as close to the Dong Chong bicycle shop. At that time I was on the path way,⁴ and could not see what was going on. I was pressed in the crowd⁵ from all sides.

¹ 門口. ² 退後. ³ 向前進行. ⁴ 階沿. ⁵ 被擁入人叢中.

Q—Did the students or the crowd have any intention of going to the Police Station?¹

A—I asked the people standing by me, “Why do you want to press on?”² and they said “Some students were locked in the Station³ and they wanted the Police Station to release⁴ them.”

Q—After that what happened?

A—I heard shots.

Q—Did you hear one shot first or all of them?

A—I heard a good many shots. As soon as I heard the firing, I lost my senses.⁵

Q—Did you run away?

A—Yes, and then I felt I was caught by the collar at the back of the neck. I do not know who caught me because I had lost my senses and was running for life.⁶

Q—That man who caught you, did he take you to the Station?

A—After I was caught by the collar, I was beaten.

Q—Do you know what you were beaten with?

A—No, I fell down senseless after I received one knock.⁷ I was bleeding⁸ from the mouth. I fell down on the ground.

¹ 到捕房去的意思。 ² 向前去。 ³ 被拘禁在捕房內。 ⁴ 開釋。 ⁵ 失知覺。
⁶ 逃命。 ⁷ 打擊。 ⁸ 流血。

Q—Do you know anything after that?

A—No, I was sent to hospital. When the doctor asked me "Where were you wounded?" I told him I felt a pain at the back and also in my head. He said "Your knee is bleeding"¹ and I said I did not feel any pain there.

Q—When were you sent to the Police Station?

A—On Sunday.

Q—You did not give any lecture?²

A—No.

Q—After you were cured³ you were sent to the Station?

A—Yes.

Mr. Maitland said he would leave cross-examination to the Court.⁴

Assessor:—You were not in sympathy with the students.⁵ You did not join in to go out in parties and distribute handbills?⁶

A—No.

Q—You are correct when you say that you asked some of the bystanders⁷ what they were doing, and they told you that some students had

¹ 膝上有血。 ² 演講。 ³ 醫好。 ⁴ 請審官向彼詰問。 ⁵ 與學生表同情。

⁶ 結隊散發傳單。 ⁷ 旁觀者。

been arrested and they wanted to release¹ them from the Police Station?

A—Yes.

Q—Did you see the students try to push the Police back into the Station?

A—First of all I was in front and tried to draw myself back. Before reaching the approach to the Police Station,² the crowds were all pushing each other. Near the Station it was all at a standstill.³

Q—Did he see any sticks or bamboo poles?⁴ Would he call the crowd a peaceful crowd?

A—According to what I saw, according to my conscience⁵ they were not riotous⁶ students.

Q—According to his conscience were they peaceful?

A—Yes, I also saw some people were pushing the foreigners, and the students shook their hands at them and said: "Don't push the foreigners."

Q—Then he did see somebody pushing the Police. He admits he saw somebody, not necessarily students, pushing the Police?⁷

A—Among these people there were different classes of people.⁴ Some of them were trying to go in front of the others to see what was going on.

¹ 開釋。 ² 通至捕房之路口。 ³ 站住不動。 ⁴ 竹槓。 ⁵ 憑良心。 ⁶ 暴動的。 ⁷ 承認有人推巡捕，惟推者不一定爲學生。

Q—Did you hear anybody shout¹ “Kill the foreigners?”

A—No, I did not hear that.

(This concluded the evidence of this accused.)

Evidence of Chu Ching Pah,² accused, 20, native of Changchow, student, Shanghai University.

Question—How long have you been studying at Shanghai University?

Answer—One year.

Q—What are you studying?

A—Sociology.³

Q—Ordinarily,⁴ do you have any idea in sympathy with Bolshevism?⁵

A—No.

Q—Have you got any Russian friends?

A—No.

Q—What did you want to do on that Saturday afternoon?

A—Saturday afternoon is a holiday, I came out to play.

Q—What time did you come out?

A—2 o'clock.

¹ 呼喊. ² 瞿景白. ³ 社會學. ⁴ 平時. ⁵ 與過激主義表同情否.

Q—Where did you go?

A—From Seymour Road to Carter Road walking and then I took a street car¹ to Sincere's.

Q—How many of you?

A—I was alone.

Q—When you reached Sincere's, did you have any idea that you wanted to lecture?²

A—No.

Q—Did you give away pamphlets³ or anything else?

A—No.

Q—Were you carrying anything in your hands?

A—No.

Q—Did you see your colleagues lecturing?⁴

A—Yes, I saw some of them.

Q—When you saw your colleagues lecturing, did you lecture with them?

A—No, I did not.

Q—When was that?

A—About 2.40 or 2.50.

Q—What happened?

A—They were arrested by the Police⁵ and all the people passing by asked what was the cause of it.

¹ 即 tram car 電車。 ² 參與演講。 ³ 發傳單。 ⁴ 有無同學演講。 ⁵ 被巡捕拘去。

Q—Did the Police arrest you with them?

A—No, I was among the crowd. Then some of the bystanders¹ asked me why the students came out to lecture that day and I answered, "I am not quite clear myself."

Q—Did you follow the crowd to the Police Station?

A—Yes.

Q—When was that?

A—Little after 3.

Q—When were you arrested?

A—About 3.30.

Q—Did you see the Police standing in a line at the entrance to the Station?²

A—Yes.

Q—Were they standing good in order?

A—Yes, in a regular line.³

Q—Did you see that the people outside wanted to rush into the Station?

A—No.

Q—Who arrested you?

A—One foreigner who was not in uniform⁴ told another policeman to arrest me.

¹ 旁觀者。 ² 曾否見巡捕列隊立於捕房門口。 ³ 甚整齊。 ⁴ 未穿制服者。

Q—Did the crowd raise any resistance¹ then?

A—No.

Q—Where were you when the shots were fired?

A—Inside the charge room.²

Q—Were the Police outside not in an alarmed state?³

A—No, they were in quite a peaceful state.

Cross examined by Mr. Maitland:—

Q—You were doing absolutely nothing?

A—Yes, I was doing something.

Q—What were you doing?

A—I was talking to the people nearby.

Q—Trying to create trouble⁴ and stir up the crowd?⁵

A—I was telling them not to create a disturbance.⁶

Q—Can you understand why the Police said you were creating more trouble and more disturbance than anybody?

A—I would like the Police to explain it.⁷

Q—Can you account for the fact that you were always rushing off to parts of the crowd that were quiet, and stirring them up?⁸

¹ 抵抗。 ² 捕房寫字間。 ³ 驚惶。 ⁴ 肇禍。 ⁵ 激動羣衆。 ⁶ 叫他們不要擾亂。
⁷ 希望捕房能將此點解釋明白。 ⁸ 有人說你常到安靜的羣衆處，要煽動他們。

A—I was standing in front, and when the Police were driving us away, I had to shift.¹

Q—You have been to this University for a year?

A—Yes.

Q—Did you see any of these Bolshevik books?²

A—No.

Q—Ever hear anything about them?

A—No.

Q—Ever know the Police raided³ the place?

A—Yes, I know.

Q—Do you know what they got?

A—No.

Q—You took no interest?⁴

A—No.

Assessor:—Is it not correct that shortly before the firing, he and his fellow-students had one of two purposes in mind⁵—either to get into the Station and release the students⁶ or get in and be taken into custody with them?⁷

A—No.

Q—Just what were you doing, why should you make such a demonstration⁸ causing a crowd of

¹ 易地，行動。 ² 過激黨的書籍。 ³ 搜查。 ⁴ 毫不注意。 ⁵ 心中所存之目的。 ⁶ 到捕房去要求開釋被捕的學生。 ⁷ 自投捕房，請與他們一同拘禁。 ⁸ 示威。

about 2,000 to collect, whether they were violent or not?¹

A—I just wanted to see why the students were arrested.

Magistrate:—It is quite a proper thing that you should want to have your colleagues released.² You had better tell the truth about what you went for.³

A—I simply wanted to know what the Police were to do with my colleagues.

Assessor:—He says he is 20 years old and studying sociology⁴ in this school?

A—Yes.

Q—Did he ever study the Chinese classics,⁵ Confucius⁶ or anything of that nature?

A—Yes.

Q—Does he remember one of the sayings of Confucius about various things he would do at different ages? At 20 he would do certain things, and so on. When he was 30 he said he was capable of deciding things justly. He was an old man of 60 before he could do that.⁷

¹ 不問是否有強暴的行爲。 ² 求捕房開釋同學，乃正當之事。 ³ 究竟爲何而去，不妨直說。 ⁴ 研究社會學。 ⁵ 中國經書。 ⁶ 孔子之書。 ⁷ 指三十而立，四十而不惑一章。

A—Yes, I know that, but that is a 2,000 years ago saying. We cannot use it for the present age.

Assessor:—The Magistrate and myself and a lot of other people think that even if it was said 2,000 years ago, it is still very applicable¹ to-day.

Magistrate:—In the present state of the Chinese people, do you think it is the age in which they should try to build up or destroy?²

A—This is a very big question and could not be finished in a few words, but I would say, briefly, that there are some old things which if they are not destroyed new things could not be built up.³

Assessor:—When a man has a very serious disease, sometimes it requires a very serious operation to cure him.⁴ When an operation is required, the patient⁵ would never go to a 17 or 18 year old doctor, but he would go to the best physician⁶ he could get. He would look for the ablest man and the most mature man to make the cure needed.⁷ You and your fellow students by your hastily considered actions,⁸ regardless of justification,⁹ have brought on a situation¹⁰ that has almost made the foreigners in China—many of whom are very friendly towards the Chinese, and

¹ 適用。 ² 照中國現在情形，應建設或應破壞。 ³ 有許多事，須先將舊的破壞，始能建設新的。 ⁴ 譬如有人病重，有時須加開割，始能治愈。 ⁵ 病人。 ⁶ 有本領的醫生。 ⁷ 請最有本領最有經驗之人醫治。 ⁸ 草率的舉動。 ⁹ 不問是否正當。 ¹⁰ 造成嚴重的形勢。

the Chinese people as a whole, particularly in Shanghai, have been very friendly with foreigners—you have almost brought us to war and made us bitter enemies,¹ by your very hasty actions.

(This concluded the evidence of this witness.)

Evidence of Yang En Zung² (accused), aged 18, of Szechuen, Student, Shanghai University.

(Examined by Mr. Ho Fei.)

Question—What is your line of study?³

Answer—Chinese literature.

Q—How many of you came out on Saturday together?

A—6 of us, 3 girls and 3 boys.

Q—Did you have any pamphlets?⁴

A—No, I took one small flag and another school-mate had a small flag.

Q—How old are you?

A—18.

Q—Did you come along Nanking Road?

A—I did not know the name of that road—it was opposite the Police Station.

Q—What was your idea in going there?⁵

A—To give lectures.⁶

¹ 大仇敵。 ² 楊恩盛。 ³ 所習何科。 ⁴ 傳單。 ⁵ 爲什麼到那裏去。 ⁶ 演講。

Q—On what subject?

A—The Japanese killed a Chinese labourer.¹

Q—Was it that you wanted to find a remedy?²

A—No, there is no remedy. We just wanted to let the public know.

Q—No other idea in your mind?

A—No.

Q—When were you arrested?³

A—1.30.

Q—Did you resist arrest?⁴

A—No.

Q—When asked by the Police did you tell them the facts?

A—Yes, and then they locked me up in a cell.⁵

Q—How many of your party⁶ were arrested?

A—The 3 of us.

Q—Did you know that lecturing on the roads was against the law of the Settlement?⁷

A—No, I did not know.

Cross-examined by Mr. Maitland:—

Q—You were trying to agitate against the Japanese?⁸

A—No.

¹ 日本慘殺中國工人。 ² 謀補救的方法。 ³ 被捕。 ⁴ 被捕時曾否抵抗。 ⁵ 將我禁錮在拘留所內。 ⁶ 隊。 ⁷ 在路上演講，是違犯租界法律的事。 ⁸ 激動羣衆反對日本人。

Q—The other students said they were against the Japanese?

A—I do not know about that.

Q—Did you not hear them say, yesterday, that their speeches were anti-Japanese?

A--No.

Q—Did you ever lecture about the bandits kidnapping Chinese women and children, and holding them to ransom?¹

A—I know nothing about the bandits.

Q—Did you ever hear of armed robbers² killing Chinese in the Settlement?

A—No.

Magistrate:—Have you read the papers?

A—I read the papers and have seen lots of reports³ about armed robbers, but have not made any enquiries.⁴

Q—Then you are pretty ignorant of the state of affairs in China.⁵

A—I take great interest in Chinese affairs.⁶

Q—You are not a very good person to lecture.⁷

A—I think I have enough knowledge to lecture on this.

¹ 盜匪擄人勒贖之事，你曾否演講。 ² 武裝強盜。 ³ 報告。 ⁴ 調查。 ⁵ 中國大局你不很明白。 ⁶ 國事我很注意。 ⁷ 不配演講。

Q—Did you know there was a war on last summer?

A—Yes, I did know.

Q—What were you doing in it?

A—I was in Szechuen as a student.

Q—Did you come to Shanghai because of the fighting?

A—I came to Shanghai this year.

Q—Did you see any of the Bolshevik books¹ at the University?

A—I do not know.

Q—Do you know what Bolshevism is?

A—I do not know.

Magistrate:—Are you in sympathy in Bolshevism?²

A—I have not the slightest idea what it is.³

Assessor:—Tell him what I have told all the other students, and this applies to him more than any of the others. He is almost too young to be in school by himself and ought to be back home with his parents.

¹ 過激主義的書籍。 ² 是否贊成過激主義。 ³ 不知道，不明白。

Magistrate:—You must consider any patriotic movement very carefully.¹ Some will do good, some will do harm.

(This concluded the evidence of this accused, and the Court adjourned for tiffin² at 12.25 p.m., resuming³ at 2.35 in the afternoon.)

**Evidence of Wang Yai Tsung,⁴ accused, named
Sung Ching Kwang on the charge sheet,⁵ aged
20 Native of Huchow, Chekiang, Student
Shanghai University.**

Question—How long have you been at this University?

Answer—Half a year.

Q—What do you study?

A—Chinese literature.

Q—When did you leave the school on this Saturday?

A—1.45.

Q—Did anyone ask you to come out?

A—No, I came out through the call of my own conscience.⁶

¹ 任何愛國舉動，須先考量。 ² 閉庭午膳。 ³ 繼續開審。 ⁴ 王宇春。 ⁵ 即控案單內之陳觀光。 ⁶ 受良心之召喚。

Q—Where did you go?

A—Along Nanking Road.

Q—What did you do?

A—Gave speeches.

Q—Did you have any pamphlets?¹

A—No.

Q—What was the subject of your lecture?

A—A Japanese killed my brother Chinaman.

Q—Have you carefully investigated² this matter?

A—I know it very well.

Q—What result did you expect?³

A—I just tried to let the public know what actually happened.

Q—Did you try to agitate⁴ the people to have ill-feelings about the Japanese? Have you any feelings against foreigners?⁵

A—No.

Q—How long had you been giving lectures?

A—5 minutes.

Q—How many police came?

A—3.

¹ 傳單. ² 調查. ³ 希望什麼結果. ⁴ 煽動. ⁵ 對外人有何惡感.

Q—Did you resist arrest?¹

A—No.

Q—What happened when you reached the Police Station?

A—A few questions were asked and we were locked up in the cells.²

Q—Did you hear the disturbance outside?³

A—Yes.

Q—Did you hear the firing?

A—Yes.

Q—Did you first hear one shot, and then the others following on, or all at the same time?

A—According to what I heard, all the shots were continuous.⁴

Q—Did you do anything when the shots were being fired?

A—We did not do anything; we just felt sorry in our minds.

Q—Do you know that giving lectures in a public place is against Municipal rules?⁵

A—No, I did not know; I was doing it according to the direction of my conscience.⁶

¹ 被捕時曾否抵抗。 ² 禁錮在拘留所內。 ³ 外面的擾亂。 ⁴ 連續不斷。 ⁵ 工部局章程。 ⁶ 聽良心的指揮。

Cross-examined by Mr. Maitland:—

Q—What did you say in your speech?

A—I spoke about the Japanese killing one of our countrymen.

Q—What words did you use?

A—I reported what took place.¹

Q—What took place?

A—How they had killed a Chinese labourer.²

Q—In what manner did you say they had killed him?

A—It is very difficult for me to repeat,³ because we did not prepare our speeches.

Q—Did you tell them that the Chinese were doing thousands of dollars worth of damage in the mill⁴ at the time?

A—That is not true.

Q—How do you know it isn't true? Have you investigated?⁵

A—Because I have heard a lot of people say so.

Q—Do you know that Tls. 52,000 worth of damage⁶ was done in one mill alone?

¹ 報告經過的情形。 ² 慘殺中國工人。 ³ 重述。 ⁴ 在紗廠內損壞價值數千元的機器。 ⁵ 調查。 ⁶ 損失。

A—If there was little damage done it was on account of the illtreatment by Japanese of our labourers.¹

Q—Do you call Tls. 52,000 worth of damage small?

A—I do not know about that.

Q—You have been in this University six months?

A—Not quite.

Q—What are you learning?

A—Chinese literature.

Q—Anything else?

A—There is a lot to read.

Q—Did you read any Russian books at all?

A—I do not know anything about that.

Q—Have you seen any Bolshevik books there?

A—Students in the University should study all kinds of things.

Q—Did you see any Bolshevik books being taken from the University?

A—I have not seen them.

(This concluded this accused's evidence. Note: Previous reference made to Wong Tsz Ching in this record should be to Waung Yui Tsung.)²

¹ 因日本人虐待工人。 ² 本記錄內前面所稱之王儒京均應改作王宇春。

**Evidence of Dr. M. C. Tsiang,¹ physician and
surgeon,² graduate of British Da Toong
Medical School attached to Shantung
Road Hospital.³**

Question—How long have you been at Shantung Road Hospital?

Answer—14 Years.

Q—Were you on duty⁴ on May 30?

A—Yes.

Q—Have you attended⁵ any of the students since May 30?

A—Altogether about 20 came.

Q—How many were attended by you?

A—About 5 or 6 surgeons⁶ and several British doctors.

Q—Dr. Muir?

A—Yes, he was one of them.

Q—About how many did you attend?

A—According to my recollection⁷ about 6.

Q—You have been subpoenaed to testify here today?⁸

A—Yes.

¹ 蔣明卿。 ² 內外科醫生。 ³ 山東路仁濟醫院附設大同醫校畢業生。 ⁴ 在服務時間。 ⁵ 醫治。 ⁶ 外科醫生。 ⁷ 記憶。 ⁸ 今日山公堂傳令到庭作證人 (subpoenaed 音 sūb-pē'nád).

Q—Of the 6 you attended, can you tell the Court how many were shot from behind?

A—One received a wound from behind. The bullet came out in front¹ because the mark in front was bigger than the mark at the back. That man died very soon afterwards. The bullet entered at the right scapula,² and came out at the left, in front. It was from right to left. We attended to him at once but it was no use.

One received a wound on the back, but this man has already recovered³ and left the hospital. It was a very deep wound, not on the surface, about 2'' x $\frac{3}{4}$.'' Maybe the bullet rubbed away from the body.⁴

In the third case the bullet passed through the left side, through the left hip.⁵ The patient was operated on by myself and Dr. Zia.⁶

The fourth one was wounded in the right arm. The muscle⁷ was all broken, so I can say that it came from behind. Dr. Zia and I attended to him, and, after an operation, he was assigned to another doctor,⁸ and I believe he died.

¹ 彈由前面穿出。 ² 肩胛骨 (音 skāp'-ū-lā). ³ 全愈。 ⁴ 鎗彈在身上擦過。

⁵ 股。 ⁶ 該病人由我與謝醫生開割。 ⁷ 肌肉 (音 mūs'l). ⁸ 交另一醫生診治。

Q—Out of the four you have mentioned three have died?

A—Yes. The fifth one was wounded in the left thigh¹ from the back, a little diagonally.²

Q—You operated on him?

A—Yes. He is still in hospital.

Q—Is it a serious injury?

A—It is rather a serious case.³ All the bones inside are all broken.

Q—Is he likely to recover or will it be fatal?⁴

A—There is some hope at present.

Q—Take the 6th case.

A—This was a slight wound in the skin just a graze.⁵ After we dressed⁶ it he left the hospital.

Q—These wounds—did they appear to you to have been fired when the bodies were close to the firer or far away?⁷

A—If they were nearby, the wound of entrance would be burned by gunpowder.⁸ There was no such mark, so they could not have been near.

(Witness was handed several photographs⁹ by Dr. Mei, but Mr. Maitland objected to their admission,¹⁰ and the Assessor stated that the Court

¹ 腿。 ² 斜的 (音 dī-äg'ō-nāly)。 ³ 傷勢頗重。 ⁴ 能否治愈, 或將致命。
⁵ 擦傷。 ⁶ 診治。 ⁷ 傷者與開鎗者相距之遠近。 ⁸ 如距離近, 則傷口必有火藥痕。
⁹ 照片。 ¹⁰ 謂法庭不應收受, 作為本案的證據。

would rule out the photographs,¹ but did not mind the doctor testifying upon any cases he handled.)²

Q—Those were the only six you examined in hospital?³

A—Yes, from what I remember.

Q—How many were taken to your hospital that day?

A—20, because the accountant⁴ takes down the number.

Magistrate:—Did Dr. Muir attend many of them.

A—Yes.

Q—Did you look over any of the cases he had charge of?⁵

A—I am not very clear about that.

Mr. Maitland cross-examined the witness:—

Q—The second one was the only one hit in the back. You say it is a very slight wound?

A—When he was brought in a motor car he was bleeding profusely.⁶

Q—But the wound was only a small one.

A—The length of the wound was about 2."

¹ 不准將照片在法庭提出。 ² 可證明所診治之傷勢。 ³ 在醫院內診治的。
⁴ 會計員。 ⁵ 他診治的傷者，你曾否看過。 ⁶ 流血甚多。

Q—He must have been struck when the force of the bullet was almost spent?¹

A—I do not know.

Q—If the bullet was close to him when fired, it would have gone right through?²

A—He may have been bending down and the bullet grazed³ him.

Q—You say the next one was hit in the right arm?⁴

A—Yes.

Q—If he had his hand up in the air and was waving his arm, he would be shot in the back of it?

A—I did not see his action, I only saw the actual wound.⁵

Q—I am not asking you that, but if he was waving his arm in the air, would it be consistent with being shot in the way he was?⁶ I only want a fair answer.⁷

A—Because I did not see it, I dare not say.

Q—We want you to be perfectly fair and impartial.⁸

¹ 想係鎗彈之力將盡時擊傷者。 ² 穿過。 ³ 擦傷。 ⁴ 擊中右臂。 ⁵ 實在的傷口。 ⁶ 倘此人將手舉起，鎗彈能否擊中手背。 ⁷ 公道的說話。 ⁸ 不偏袒。

Q—If I hold my arm up, like this (demonstrated),¹ and you fire from in front of me, you will send the bullet² through the back of my arm?

A—If your arm is like that, of course it will go through the back first. What I said is all impartial because I am a member of the Christian Church.³

Re-examined by Dr. Mei:—

Q—Did you ask the man whose arm was shot whether he sustained his wound when he was holding his arm up?⁴

A—I did not ask him.

Q—Was he conscious the time he was in your charge?⁵

A—Yes.

Q—Was he a student or a labourer?

A—I did not ask him. At that time our whole attention was on the work.

Q—You say that out of the 6 cases, four were shot from behind and two from the side?

A—Yes.

Q—That is positive,⁶ is it?

A—Yes.

(This concluded the evidence of Dr. Tsiang.)

¹ 表演。 ² 彈子。 ³ 基督教徒。 ⁴ 是否因將手舉起，致受鎗擊。 ⁵ 你診治時，傷者有無知覺。 ⁶ 確實。

Evidence of Dr. Y. J. Cieh¹ M. R. C. S.,² L. R. C. P.³ London, graduate⁴ of 1914, attached to Shangtung Road Hospital,⁵ General Hospital V. D. Clinic, Hospital of the Sacred Heart, Yangtsepoo, and assistant to Dr. McKinstry at the General Hospital.

Question—How long have you been connected with the Shantung Road Hospital?⁶

Answer—Just over a year as one of the visiting staff.⁷ Dr. Liddell is the resident surgeon.⁸

(At the request of Dr. Mei Dr. Liddell's attendance in Court was called for.)⁹

A—I was called by telephone at 4.30. There were four or five messages¹⁰ which came continuously for me. I returned home at 6 o'clock and I telephoned and asked them if I was wanted still. I was told there were 20 or 30 cases and that I was wanted at once. I operated¹¹ on 3 cases.

One was a bullet wound through the pelvis¹² from side to side. We thought he would have internal haemorrhage.¹³ I opened him up and found no internal haemorrhage, so we stitched him up¹⁴ but found bleeding in the rectum.¹⁵ I thought

¹ 謝應瑞醫生。 ² Member of Royal College of Surgeons 英國皇家外科醫學會會員。 ³ L. R. C. P.=Licentiate of the Royal College of Physicians 英國皇家內科醫學會會員。 ⁴ 畢業生。 ⁵ 山東路仁濟醫院。 ⁶ 在仁濟醫院服務幾時。 ⁷ 不駐院之醫生(隨時到院施診者)。 ⁸ 駐院之外科醫生。 ⁹ 審官允梅華銓律師之請求,傳令 Liddell 醫生到庭作證。 ¹⁰ 電話。 ¹¹ 開割。 ¹² 盆腔內流血(音 hēm'ō-rāj)。 ¹³ 將割開之處縫好。 ¹⁴ 直腸。

the patient would be all right. As soon as I left the operating room I was called suddenly and I found that he had collapsed from heart failure.¹ He was very fat, there being 3" of fat tissue.²

The second case was a wound in the leg. The bullet had gone through the bone³ and an artery⁴ had been broken. There was a compound comminuted fracture of the left femur.⁵ We amputated the leg,⁶ and the patient is getting all right.

Q—Was that a side wound?

A—There was one in the front and one in the back, so far as I remember. I think the doctors will all agree that we did not pay much attention to the wounds⁷ whether they came from the front or the back. We were in such a hurry to stop the bleeding⁸ and save life.

Q—Did you say there were two wounds on that person?

A—Yes.

Q—Were they about the same size?

A—I cannot remember.

Q—What about the third case?

A—The wound was in the arm—a compound comminuted fracture⁹ of the right arm without injury to the arteries.¹⁰

¹ 因心弱，故病勢轉劇。 ² 脂肪。 ³ 彈穿骨頭。 ⁴ 發血管。 ⁵ 大腿骨粉碎。 ⁶ 將大腿截去。 ⁷ 不注意傷口。 ⁸ 止血。 ⁹ 複雜骨折。 ¹⁰ 發血管。

Q—From what direction did the bullet come?¹

A—As I have already said, I can hardly say. I did not pay much attention to it.

(This concluded the evidence of Dr. Cieh.)

Evidence of Zung Tih Mai,² accused, native of Ningpo, teacher at the Kwaung Kyi Primary School,³ aged 21.

Question—How long have you been teaching in this school?

Answer—About 2 years.

Q—Did you take part in the lectures on this Saturday?⁴

A—No, I had nothing whatever to do with the lectures.

Q—Why didn't you interfere,⁵ seeing the other schools took part?

A—Because the school I am teaching in is a primary school, and students are all small boys. I left the West Gate at 1 o'clock to go to Bubbling Well Road to see a friend. When I returned I took the tram⁶ back to Nanking Road.

¹ 鎗彈從什麼方向來。 ² 陳鐵梅。 ³ 廣濟小學。 ⁴ 星期六的演講會否參與。 ⁵ 參與。 ⁶ 電車。

Q—Were there many people there?

A—I left the car at the New World because there were many people.

Q—What time was this?

A—Approximately¹ 2.30.

Did you follow the crowd along Nanking Road?

A—Yes, I went along as far as the Sing Sing Co.

Q—What did you see on the road?

A—I saw the Police arrest² 2 students. I did not know who they were.

Q—What happened afterwards?

A—The crowds were pushing each other [one another].

Q—How many people were there?

A—According to my idea, over 1,000.

Q—As you are also one of the teachers, when you saw the students arrested, did you have such feeling in your heart that you wanted to try and save them?

A—I had such a thought in my mind, but I did not take any action.³

¹ 約。 ² 拘捕。 ³ 心中雖存此意，並未有何舉動。

Q—Did you have anything in your hand?

A—Nothing.

Q—Did you make any remarks to the students about the arrests?¹

A—No, I just watched.

Q—At the time the shots were fired, where were you?

A—At Sincere's.

Q—Did you see the other students who wished to rush into the Police Station?

A—No, I did not see that.

Q—When you passed the Nanking Road Police Station, did you see any Police at the Station Gate?

A—Yes, I saw some Police arresting students, and then I saw the Indian Police standing in a line at the gate of the Station. The Sikhs were all armed with rifles,² and those arresting people on the road had clubs³ in their hands.

Q—Did you see any of the students resisting arrest?⁴

A.—No, I did not see anything of that. They were only waving their hands and saying "Please, please."

¹ 對於巡捕拘人之事，曾否向學生發表意見。 ² 快鎗。 ³ 木棍。 ⁴ 抗拒

Q—Did you hear the sound of the shots?

A—Yes.

Q—What was the interval between the two volleys?¹

A—They were almost continuous, about 1 minute's interval.

Q—Were you arrested on that day?

A—No.

Q—Where were you after the shots were fired?

A—I was still standing on the road.

Q—Why did you still stand on the road?

A—I stood because the shots were already fired and I walked slowly off. As the crowds pushed along I was pushed to the ground.

Q—Did you receive any wound on your body?

A—Yes, I received certain wounds, 3 or 4 knocks on the back,² then I ran along, but I was not able to go any further after I reached a small cigarette shop³ at the back of the Sincere Company. I was not in my proper senses.⁴ I think I was put into a ricsa⁵ by somebody from the shop.

Q—Did they send you home?

A—Yes, the people at my home sent me to the Hospital.

¹ 兩次排鎗相隔幾時。 ² 背上被擊三四下。 ³ 香煙店。 ⁴ 失知覺。 ⁵ 人力車。

Q—Which hospital?

A—Shantung Road.

Q—How long did you stay in this hospital?

A—4 days, then, when I felt myself all right and wanted to go back home and then the people in hospital rang up the Police¹ and told me that if I wanted to go home I must report to the Police first. The Police came to the Hospital and took me to the Station. Then I was locked in the cells.² With regard to this protest³ by the students, I had nothing whatever to do with it.

Q—You went to the Hospital yourself?

A—Yes.

Cross-examined by Mr. Maitland:—Have you ever been at Shanghai University?

A—No, I have no connection⁴ with it.

Q—You wanted to stay on Nanking Road, you would not leave?

A—Because there was such a crowd, my curiosity was aroused.⁵

Q—You would not go when the Police told you to?

A—I left immediately.⁶

¹ 以電話報告捕房。 ² 禁錮在拘留所內。 ³ 抗議。 ⁴ 關係。 ⁵ 引起我的好奇心。 ⁶ 立即。

**Evidence of Wong Ts Chin,¹ accused, 22, student,
Shanghai University, native of Canton.**

Question—Do you remember on May 30 having gone out shortly after tiffin² from the University?

Answer—Yes, some school-mates and I went out to the New World to make speeches.

Q—You were in a party?³

A—Yes.

Q—What were you going out to speak about?

A—The subject of our speech was our brother who was killed by the Japanese.

Q—Did you incite anybody to strike or cause disorder?⁴

A—No.

Q—Were you one of the speakers.

A—We were just going to get a place when the Police arrested us.

Q—How many in your squad?⁵

A—12.

Q—Did you have any arms⁶ with you?

A—No.

¹ 黃儒京. ² 午膳. ³ 結隊. ⁴ 鼓吹罷工, 或擾亂治安. ⁵ 隊. ⁶ 軍器.

Q—Any instruments of violence¹ or implements which could inflict injury on other people?²

A—

Q—Did you have any bann³ers?³

A—Yes, a school-mate of mine had a small banner in his hands.

Q—Is he one of the accused?⁴

A—Yes, Cha Ong Li;⁵ we were in the same group.

Q—Did you resist⁶ the Police?

A—No.

Q—Did you attack⁷ the Police?

A—No.

Q—Did you make any speech yourself?

A—No.

Q—The Police are charging you with being one of the ringleaders in this riot.⁸ What have you to say about it?

A—I can tell you this, we were trying to get together to make speeches, but before we could do so, we were arrested and went with the policemen.

Q—Who arrested you?

A—A foreign policeman arrested me. I went with him.

¹ 兇器. ² 能傷害他人的器具. ³ 旗 ⁴ 被告. ⁵ 蔡鴻立. ⁶ 抗拒. ⁷ 攻擊. ⁸ 捕房控告你, 說你是暴動的首領.

Q—You were not arrested?

A—No.

Q—How do you come to be charged with rioting, or being a ringleader?¹

A—I do not know.

Q—You followed two men who were arrested into the Station?

A—Yes.

Q—Were you charged² at the Station?

A—I did not hear.

Q—If you were not arrested, why did you follow these men to the Station?

A—Because my school-mates were arrested, I wanted to see why they were arrested.

Q—Beyond that, did you have any purpose in going to the Station?³

A—No, nothing else.

Q—Did you have any intention of capturing the Station?⁴

A—No.

Q—How many of you went together?

A—About 12.

¹ 那末捕房何以說你暴動，且指爲首領。 ² 指出你的罪名。 ³ 除此以外，到捕房究有甚麼目的。 ⁴ 襲擊。

Q—Before you came out to speak, was there any previous meeting¹ of students at your university, or anywhere else?

A—No.

Q—How did you happen to go out—12 of you?

A—It was suggested by my own conscience.²

Q—Did you make any shouts of “Kill the foreigner” or “Down with the foreigner”?

A—No.

Q—Did you have any bamboo poles³ or weapons which could inflict injury on other people,⁴ with you?

A—No.

Q—Did your 12 men block the traffic?⁵

A—No.

Q—How long have you been studying?

A—2 years.

Q—During that time have you studied any Bolshevik literature?⁶

A—No.

Q—Do you know what Bolshevism means?

A—I do not know.

¹ 事前的集會。 ² 出乎自己的良心。 ³ 竹槓。 ⁴ 能加害於人的兇器。 ⁵ 阻斷交通。 ⁶ 過激文字。

Q—Have you ever seen any Bolshevik books or heard any Bolshevik lectures?

A—No.

Q—Were you ever able to buy any Bolshevik books at the University?

A—No.

Q—Did you attack the police?

A—No.

Q—Did you lead these men to commit a riot?

A—No.

Q—Did you have any literature which might incite a riot,¹ or incite the labourers to strike,² or anything of that kind?

A—No.

Q—Did you hear the firing?

A—Yes.

Q—How many shots did you hear?

A—I heard many shots, all coming together.

Q—Have you any relatives³ in Shanghai?

A—No.

Q—Were you going to speak on any anti-foreign subject?⁴

A—No.

¹ 引起暴動。 ² 使工人罷工。 ³ 親族。 ⁴ 排外性質的題目。

Q—Were you one of the intended speakers?¹

A—I simply went out with my school-mates.

Q—You are a Canton man, rather quiet in appearance,² and do not look as though you could be a very eloquent speaker.³

A—I do not understand the Shanghai dialect⁴ quite clearly.

Q—So you were not one of the intended speakers?

A—I was prepared to speak.

Q—What were you prepared to speak about?

A—I wanted to tell the public about the Japanese killing our countryman Koo.

Q—Beyond telling the public the circumstances of his death,⁵ were you going to tell them anything else?

A—No, nothing else,

Q—Was there any idea in your head, or in the heads of your companions, to speak against any particular foreign nationality?⁶

A—No.

Q—Was there any idea to boycott the goods⁷ of any particular nationality?

A—No.

¹ 預定的講員。 ² 狀貌很安靜。 ³ 似非有口才之講員。 ⁴ 上海方言。 ⁵ 慘死的情形。 ⁶ 是否欲反對外國人。 ⁷ 抵制貨物。

Q—Did you ever take any course in Communism in this school?¹

A—No.

Mr. Maitland said the witness would deny² all that he was going to ask him, so he would leave him to the Court.

Magistrate:—The charge against you is that you caused a riot and aroused the people to make a disturbance.³ Did you do anything like that?

A—No, not at all.

Q—According to the state of the crowd that day did you think there might be any disturbance?⁴

A—No.

Q—There were more than 1,000 people there. How many students?

A—When I was arrested, there were a few people in the street. I cannot say how many students came out of school that afternoon.

Q—Did you hold any meeting or make any preparations for these lectures?⁵

A—No.

Q—Who wrote the wording on the banners?⁶

A—I do not know.

¹ 在校內曾否習過共產主義。 ² 否認。 ³ 捕房控告你，說你釀成暴動，煽動羣衆擾亂秩序。 ⁴ 觀當日羣衆的態度，有無暴動之現象。 ⁵ 預備演講。 ⁶ 旗上的字。

Q—Did you shout "Kill the foreigner"?

A—No.

(This concluded the evidence of this witness.)

**Evidence of Zung Yoong Chu.¹ accused,
professional actor² Southern Dramatic
Club, Great World Theatre.**

Question—You are charged with being a rioter?³

Answer—No.

Q—Were you one of the speakers?

A—I had nothing to do with it, whatever.

Q—You are not a student?

A—No.

Q—How did you come to be arrested?⁴

A—I was not arrested by the Police. Between 1 and 3 o'clock my work in the Great World finished, and then I returned to my home on Tsepoo Road, and had to cross Nanking Road. I saw a lot of students on Nanking Road and policemen striking the Chinese students. I saw many students struck.⁵

Q—Were you on the south side of Nanking Road?

¹ 陳韻秋. ² 優伶. ³ 暴動者. ⁴ 何以被捕. ⁵ 見許多學生被打.

A—Yes, diagonally opposite to the entrance to the Police Station.¹ Suddenly I saw more than 10 Sikhs with arms presented² at the door of the Station, and I told my friend: "It is very, very dangerous; let us go." My friend said "Yes, all right, we'll go." At that moment we heard firing. We were frightened³ and ran. My thigh⁴ was wounded from the back. I was taken to the hospital.

Q—Where did the bullet enter?⁵

A—Between the legs from the back. I was dressed in a long gown.⁶ I thought someone had thrown a stone against my body so I did not take notice. I ran into the photo shop⁷ company and sat down. The shopkeeper asked me if I had been shot by a bullet. I looked at my leg and saw blood. I got a ricscha and went to hospital. I told the coolie⁸ to go to any hospital he liked, and he took me to Shantung Road.

Q—Were you examined by any of the doctors who gave evidence?⁹

A—Dr. Tsiang visited me at night. I was very disappointed¹⁰ and wanted to go out the next day. The foreign doctor said I could go out the

¹ 斜對捕房門口。 ² 舉鎗瞄準。 ³ 驚惶。 ⁴ 大腿。 ⁵ 彈從何處入。 ⁶ 穿長衫。 ⁷ 照相店。 ⁸ 人力車夫。 ⁹ 到庭作證之醫生。 ¹⁰ 失望。

next morning. When I was going to hospital, I thought the bullet¹ might still be inside my body.

Q—Was it inside?

A—Yes.

Q—You say you were shot from behind?

A—There was a hole in my long gown. At the back side it is small and at the front bigger.

Q—What about your leg?

A—It did not go through my leg. That was simply a graze.²

Q—It shaved off a piece of flesh?³

A—Yes.

Q—When were you arrested?

A—Doctor told me I could go out the next morning. The next morning I asked him and he said: "All right." I went down to the public telephone⁴ to inform the Great World that I could come out that morning. At that time two foreign policemen came with a car to the hospital and sent me to the Station and locked me in a cell.⁵

Q—Were you inside the crowd when you were shot?

A—I was just on the pavement⁶ in front of the photograph company.

¹ 鎗彈. ² 擦傷. ³ 擦去一塊肉. ⁴ 公共電話. ⁵ 將我禁錮在拘留所內.

⁶ 階沿.

Q—Was there a crowd there?

A—Yes, many people. I wanted to cross the road and could not.

Q—Did you hear the crowd shouting anything like “Kill the foreigners” or “Down with the foreigners.”

A—No.

Q—Did you see any arms or any heavy instruments¹ like big bamboos in the hands of the students or any Chinese

A—No.

Q—Did you see any rushes² at the Station?

A—No, I saw some policemen hitting the students and others on the head. Many of the crowd wanted to go westwards but the policemen refused to let them go.

Q—How far were you from the Station?

A—The distance was simply the width of Nanking Road.

Q—Could you see the Station gate alleyway?³

A—Yes, I saw a number of Sikhs standing in front of the Station with arms presented.⁴

¹ 笨重之器。 ² 衝鋒。 ³ 通至捕房之小路。 ⁴ 舉鎗瞄準。

Q—Did you see a foreign inspector holding a gun and waving it in warning?¹

A—I did not see that.

Q—Did you hear anyone shout “Ding”?²

A—No.

Q—At the moment of firing were your eyes in the direction of the Station?

A—My eyes were not looking at the Station, I just saw the Sikhs with arms presented and I told my friend we had better go. I was frightened and wanted to escape³ but could not go anywhere to escape.

Q—Before you turned away to go, did you see any Chinese rushing the Police?

A—They were all stopped by the foreigners.

Q—How far away was the Chinese crowd?

A—I was standing on the second line of the crowd. They were over two tramways.⁴

Q—Two tram tracks⁵ were between the Police and the crowd?

A—Yes.

Q—Did you see any of the crowd assault the Police?

A—No.

¹ 曾否見一西捕舉鎗向衆警告。 ² 停。 ³ 逃避。 ⁴ 電車路兩條。 ⁵ 路軌。

Assessor:—You have nothing against this man except that he was there?

Mr. Maitland:—Yes, that is all.

Magistrate:—Were you just walking along the street or did you intend to do something?

A—I had just left the Great World and was walking along the street.

Q—Did you hear any warning¹ given before the firing?

A—No. When I heard the firing I jumped into the photograph shop. I did not know what the trouble was about. At that time they all wanted to retreat² but were stopped by the force of the people at the back who wanted to go forward.

(This concluded the evidence of this witness.)

**Evidence of Dr. Robert Victor Liddell, aged 24,
British Doctor of Medicine,³ Resident doctor,⁴
Shantung Road Hospital.**

Question—On this Saturday were you on duty⁵ at the Hospital?

Answer—I had the afternoon off.⁶

¹ 警告. ² 退後. ³ 醫學博士. ⁴ 駐院醫生. ⁵ 值日. ⁶ 下午休息.

Q—What time did you return to duty?

A—4 p.m.

Q—At 4 p.m. was anybody taken into the Hospital?

A—I was immediatly called to see as many as I could see.

Q—How many did you see?

A—I cannot state the number.

Q—Were there any doctors beside yourself?

A—Dr. Muir had just arrived before me.

Q—How many did you personally attend to?¹

A—I think I saw about 15.

Q—Were they wounded or dead?

A—None of them were dead when I saw them. Some died shortly afterwards.

Q—How many?

A—Two, I think.

Q—After your attendance or after they were admitted?²

A—After they were admitted.

Q—Before your attendance?

A—Yes, they were attended by the Chinese doctors first.

¹ 親手診治。 ² 診治後始死，抑入院後即死。

Q—Of those 15 that you had attended, including the two who had died shortly after admission, can you tell the Court how many of them were shot in the back or received wounds from the back?

Assessor:—How many were shot in the back, how many from the side, and how many from the front?

A—I would say the majority¹ were shot from the front and side.

Assessor—Out of the 15, have you any recollection² how many?

A—We operated³ on quite a number in which I helped Dr. Muir. Five that night.

Q—Can you give approximately⁴ the number who were shot from the front?

A—I should say four directly from the front, eight from the side and three were very doubtful.⁵

Q—They could have been from the back?

A—Yes.

Q—How many were admitted altogether?

A—Twenty.

Q—Five you did not know about at all?

A—No, I did not see them at all.

¹ 大半。 ² 記憶。 ³ 開割。 ⁴ 大約。 ⁵ 不能決定。

Q—Did you see these three who could have been shot from the back?

A—Yes.

Q—Can you tell how they were shot, in what place?

A—One man had the exit and entrance wounds together.¹ He was probably bending down and the shot went right into the middle of the back. The bullet was not there.

Q—The bullet went right down the back?

A—Yes, it ploughed it up.² Another one was shot through the buttocks.³ That might have been from the side. The third was abdominal.⁴

Q—How did he get that?

A—If I remember right, it was on the side in a diagonal line.⁵

Q—You are sure about these three cases?

A—They were doubtful.

Q—They may have been from the back?

A—Yes.

Q—You could not say definitely⁶ they were in front?

A—No.

(This concluded the evidence of Dr. Liddell.)

¹ 彈之入口與出口同在一處。 ² 將背打破。 ³ 股。 ⁴ 腹部。 ⁵ 斜線。 ⁶ 確實

**Evidence of Dr. Cecil John Davenport, F.R.C.S.,¹
Medical Superintendent,² Shangtung
Road Hospital.**

Question—I think you can tell us about 40 cases you have seen?

Answer—Yes, I am the medical superintendent and had to review all the cases³ and I have the whole list.⁴

Q—Out of the 40 people, how many would you say have been shot in the back?

A—I have made a report⁵ in the matter, and the Court probably has that report.

Q—Can you tell us how many were shot in the back?

A—I was not present in the hospital when the first lot of cases⁶ were received on the Saturday. I came later when they had received the first dressing,⁷ and after some had been operated on.⁸ Some had died. I myself did not see that lot of cases⁹ so that I cannot give any direct personal evidence¹⁰ with regard to them. I asked Drs. Patrick, Muir, Tsiang and Liddell, who knew about these cases, and they gave me their report on them, which I have embraced¹¹ in this report.

¹ =Fellow of the Royal College of Surgeons 英國皇家醫學會會員。 ² 醫務主任。 ³ 察看院中之病人。 ⁴ 名單。 ⁵ 報告。 ⁶ 第一批病人。 ⁷ 初次的治療。 ⁸ 開割。 ⁹ 皆非本人親手治療者。 ¹⁰ 不能提出直接的證據。 ¹¹ 包括。

Q—Can you tell the Court orally,¹ how many were shot in the back, front or side, from what you saw yourself, and from the reports of other doctors?

A—It is all summed up² in the report.

Mr. Maitland—The simplest thing would be to put the report in as an exhibit.³

Witness continuing⁴—I, myself, saw nearly all the cases if not all, brought in on Monday, but I have not differentiated⁵ them in this report. I have got some notes in my pocket which might help me. I was given to understand by the doctors who treated the cases,⁶ that No. 581 of the hospital record⁷ received a skin wound at the back. This might have been either a hit from the back or front.

582 was a perforating wound of the chest.⁸ This, I believe was from the front.

583 was a shot through the pelvis and rectum,⁹ therefore the bullet could have come from either side.

584 was a shot through the stomach and liver.¹⁰ I understand it was from the front.

585 was a shot through the abdomen.¹¹ I understand, also, from the front.

¹ 口說。 ² 彙集。 ³ 最好將此報告作為本的附錄。 ⁴ 證人復稱。 ⁵ 分別。
⁶ 診治病人之醫生告我。 ⁷ 醫院記錄。 ⁸ 胸部洞穿。 ⁹ 骨盆及直腸。 ¹⁰ 胃及
肝。 ¹¹ 腹部。

586 was a shot through the side, the bullet striking the very front.

587 was a shot in the upper part of the thigh¹ and severed the femoral artery² and escaped from the body behind³ so it came from the front

588 was a shot through the right rectus muscle⁴ through the intestines,⁵ with 10 perforations,⁶ so the shot was from the front.

589, both legs were shattered,⁷ one had to be amputated,⁸ the bones were injured⁹ in the front, and, therefore, the bullet struck from the front.

590 was a fracture of the right humerus,¹⁰ the bullet coming from the front.

591 was a double wound through the knee¹¹ going right through the joint.¹² Being the front of the knee, the shot must have come from the front.

592 was a bullet through the tibia¹³ also from the front side.

593 was an injury of the buttock,¹⁴ I believe, I do not know whether it was a skin wound, or whether it went through the flesh¹⁵ of the buttock.

Assessor:—That would be in the rear?¹⁶

A—Not necessarily. It might be the rear, it might be the front.

¹ 大腿. ² 腿部之發血管. ³ 由身體後部射出 ⁴ 腹部的肌肉. ⁵ 腸. ⁶ 洞. ⁷ 腿骨打碎. ⁸ 割去. ⁹ 傷. ¹⁰ 右邊的上膊骨. ¹¹ 膝骨打穿兩洞 ¹² 關節. ¹³ 脛骨. ¹⁴ 股. ¹⁵ 肉. ¹⁶ 在後面.

594 was a small chest wound, the skin being grazed.¹ It might have been either from front or back.

595 and 596 were mere bruising.²

597 was, again, a perforating wound of the abdomen,³ with rupture of the intestines⁴ which, I was told, was received from the front.

598 was a fracture of the thigh⁵ which was stated to be from the front.

599 was a skin wound, a slight abrasion.⁶ It might have been either from the front or back.

600 was brought in dying and no report was made of where the wound was received.

These are the cases which are reported on for Saturday, May 30.

Mr. Maitland asked that the Court accept Dr. Davenport's report as an exhibit in this case.⁷ Dr. Mei strongly objected,⁸ but the Court agreed to admit the document at the hearing of the second case⁹ and so save the time of the doctor.

Cross-examined by Dr. Mei:—

Q—You first made the statement that you did not see the wounded brought in on the Saturday?

A—That is so.

¹ 擦傷。 ² 微傷。 ³ 腹部洞穿。 ⁴ 腸被打破。 ⁵ 腿骨打破。 ⁶ 微傷。 ⁷ 請公堂收受該醫生的報告，作為本案的附件。 ⁸ 極端反對。 ⁹ 公堂允於審理第二案（六即月一日之案）時收受該項報告。

Q—That would account for your very guarded statement qualifying your opinion,¹ such as “I believe,” “I understand,” “They might have been from the front.”

A—I had to depend on the report of those who attended the cases.²

Q—In other words, the report you are now making or the opinions you are now voicing,³ are not from direct knowledge,⁴ but indirectly from your subordinates.⁵

A—As far as May 30 is concerned, that is so.⁶ May I correct that one word “subordinates”⁷—colleagues.⁸

Q—Is it not true that it is very difficult to say whether a wound is the result of a shot from the back or from the front some time after death?

A—I have never had any experience of wounds some time after death.⁹

Q—Have you attended inquests?¹⁰

A—Very seldom.

Q—Have you ever done so?

A—I have never attended an inquest on any shot wound.¹¹

¹ 因此你所說的話，多有顧慮之詞。 ² 我不得不依據經手診治的醫生的報告。 ³ 發表的意見。 ⁴ 非親手診察而得之智識。 ⁵ 乃間接由屬員處得的。 ⁶ 論五月卅日之案，確是如此。 ⁷ 屬員。 ⁸ 同僚。 ⁹ 死後檢驗傷口，我沒有經驗。 ¹⁰ 有無驗尸的經驗。 ¹¹ 鎗傷的屍首我沒有驗過。

Q—So you would not be in a position to say when a man is dead 24 hours whether a given wound on either side of the body is the wound of entrance or exit?¹

A—I could not speak with experience.²

Q—You made another statement that I would like to have a little explanation³ of—that is the case where the bones in the thigh were splintered⁴ in front and you said that was probably,⁵ or you understood it would be, a wound from the front. Are you a surgeon?⁶

A—Yes.

Q—Would you agree with me in this, that if the wound is from the back, and the exit wound is in front, the exit would be larger than the entrance wound?⁷

A—It depends on the missile and the distance away.⁸

Q—Let us consider a rifle bullet or a pistol bullet.⁹ That is the only missile we are concerned with now. What would be the relative difference in the size of the wounds?¹⁰

¹ 然則鎗傷者死後二十四小時，你即不能決定鎗彈從前面或後面射入。 ² 不能根據自己的經驗而發言。 ³ 尙有一語須請解釋。 ⁴ 腿骨打破 ⁵ 大約。 ⁶ 外科醫生。 ⁷ 出口大於入口。 ⁸ 須視鎗彈之性質及其遠近而定。 ⁹ 快鎗之彈與手鎗之彈。 ¹⁰ 兩種鎗彈之傷口，那一種大些。

A—I understand from the experience of the late war,¹ that the wounds caused by entrance and exit are not very different in size,² but, from a pistol bullet, I am of opinion that the wound of entrance is smaller than the wound of exit.³

Q—You used the words “I understand” again. Did you have any war experience?⁴

A—No.

Q—You also used the words “My opinion is,” with respect to a pistol bullet. Have you seen any pistol bullet wounds?

A—I have seen many.

Q—So that with respect to pistol bullets, you agree with me, but with respect to rifle bullets, you merely understand that there is very little difference.⁵ Let us consider a rifle bullet. If it should strike a bone and the bullet should enter from the back and come out in front. Applying the same principle on which we are in agreement,⁶ as regards pistol shots would not the bullet from the rifle shatter⁷ the bone more seriously in front.

A—The modern rifle, I believe, is so powerful that shot at a small distance, I do not think there is very much difference.

¹ 按歐戰時所得的經驗而言。 ² 彈之入口與出口大小無甚差別。 ³ 手鎗傷則入口較小。 ⁴ 戰事的經驗。 ⁵ 然則就手鎗傷而論，你的意見與我相同，快鎗傷則你以為傷口之大小無甚差別。 ⁶ 以我們已經同意之理論之。 ⁷ 打破。

Q—Inasmuch as you have not had experience with rifle shot, you would not be dogmatic¹ on that point?

A—No, I would not be dogmatic.

Q—Since the Police testimony² has stated there were about 40 rifle shots, you would not be dogmatic at all as to whether the shots were in the front or back?

A—I would not say they were all rifle shots. I am only speaking of the wounds.

(This concluded the evidence of Dr. Davenport.)

**Evidence of Wei Ching Ding,³ accused,
Unemployed Boatman,⁴ aged 27.**

Magistrate:—Let him tell his story as to how he got wounded.

A—At 3 o'clock, I was at Lloyd Road corner, coming along Nanking Road. I went to the corner of Yunnan Road, just opposite Louza Station. I saw lots of people there. I stood there for a considerable time,⁵ and did not see any person making speeches. I did not see anything except the crowd

¹ 武斷. ² 巡捕的供詞. ³ 魏春庭. ⁴ 現無職業的舟子. ⁵ 多時.

in front of Sincere's. I saw 3 or 4 foreign policemen coming, with lots of people to the Station. I saw two lines of policemen, the first line of Sikhs and the second line Chinese,¹ standing outside the Station gate. I was wounded at the time of the firing. I thought the bullet must have already passed through someone else's body before reaching mine, because the force was not very strong.² I wore a long lined gown and a short coat,³ and the bullet penetrated⁴ all my clothing and made a small hole. I could not know whether the bullet was inside my body or not. I saw blood and put a handkerchief to it.⁵

Q—Was the crowd pushing forward?⁶

A—The people at the back simply wanted to get to the front to see what the trouble was.

Q—Did you see any violence?⁷

A—The crowd was acting in a very civilized manner.⁸

Q—Considering it is a serious⁹ matter, do you think you should have stayed there at all?

A—If I thought it serious, I certainly would not have stayed.

¹ 第一排爲印度巡捕，第二排爲華捕。 ² 鎗彈之力已不甚強。 ³ 穿長夾襖與短衫。 ⁴ 洞穿。 ⁵ 以手帕掩住。 ⁶ 向前衝擁。 ⁷ 暴動。 ⁸ 舉動很文明。 ⁹ 危險。

Q—Was there any shouting?

A—There were so many people that there must be some noise.

Q—He admits¹ he was standing in this crowd for over half an hour?

A—I was standing opposite the Station about 20 minutes.

Q—Did he see a foreign policeman waving a gun at the crowd as a warning to go back² a few minutes before the firing?

A—In the very beginning I saw everything clearly and distinctly,³ but afterwards so many people came that I could not see. I did not see the waving of any pistol.

Q—Did he hear the Police tell the crowd to stop?

A—No.

Q—He did not think it was a serious matter when there was a mob⁴ of nearly 2,000 on the street, pressing towards the Station⁵ and several police with carbines⁶ at the Station?

A—I had the impression that the students were giving speeches in a peaceful, civilized manner.⁷ I never thought it might end in shooting.⁸

(This concluded the evidence of this witness.)

¹ 承認。 ² 舉鎗警告羣衆，叫他們退去。 ³ 清楚。 ⁴ 烏合之衆。 ⁵ 向捕房擁去。 ⁶ 長鎗。 ⁷ 我見學生演講，舉動文明。 ⁸ 沒有料到將有鎗擊之事發生。

**Evidence of Wai Zang Pau,¹ B.A.T. Motion
Picture Department²**

Q.—Can you tell the story of what happened that afternoon?

A.—I left home about 1 o'clock and arrived at the corner of Nanking Road and Sincere's a little past 3. There were many people there, but as it was a Saturday afternoon, and a holiday, I took no notice³ until I got in front of the Sing Sing Co. I then saw some students with banners⁴ in their hands trying to make speeches. Also, some handbills and pamphlets⁵ were falling on the ground. I picked one up, but it was torn and I threw it away. When I reached the front door of the Dong Chong Bicycle Co. I saw some students arrested⁶ by the Police. I went to see what the matter was. I never thought it might be such a serious matter.⁷ All the people at the back and side were pushing forward and those in front wanted to retreat.⁸ I was pressed and surrounded by the crowd.⁹ I was just about to turn back, when I heard firing and fell to the ground. When I got up, I touched my back with my hand and

¹ 范張寶。 ² 英美煙公司影戲部 (B. A. T.=British American Tobacco Co.) ³ 不注意。 ⁴ 小旗。 ⁵ 傳單。 ⁶ 被捕。 ⁷ 不料如此危險。 ⁸ 退後。 ⁹ 在人叢中間。

saw blood. I took a ricscha and went direct to the hospital. I am the one that a doctor referred to as having been grazed.¹

Assessor:—What was he trying to do when he was shot?

A—At that time, I had no intention to go forward.² I was crushed by the crowd and had no free movement.³

Assessor:—Was he facing the Police or the other way?

A—I was facing the New World.

Q—Then the Police were in front of him if he was looking towards the Police, how could they shoot him in the back?

A—At the time I heard the firing, I fell down on the ground. I was senseless.⁴

Q—If he is telling the truth, how could he be shot in the back?

A—I was standing in front of the Dong Chong Co.

Q—Did you have your back to the Police?

A—My back was against the front door of the Dong Chong Co.

¹ 醫生所稱背上擦傷者即爲本人。 ² 不願前進。 ³ 被羣衆擠軋，行動不能自由。 ⁴ 失知覺。

Q—How long was he standing there?

A—About 20 minutes. The crowd was so large that I could not get out of it.

Q—There was a large crowd all the way from Sincere's, and yet he came from Sincere's to the Station and he wants us to believe the crowd was so thick that he could not get out of it again? Did he see the Police armed with rifles?¹

A—I saw over the shoulders of the others, 20 or more in number.

Q—Did you hear anybody shouting "Stop"?

A—There was such a crowd I did not take any notice.

Q—Did you hear any shouting?

A—There was some shouting but I did not know the meaning.

(This concluded the evidence of this accused.)

Dr. Mei said all the others admitted² they were students and, with the exception of two from the Toong Tuh Medical School,³ they were from the Shanghai University.⁴

Assessor:—Did they go out on any definite instructions⁵ from anyone this afternoon?

¹ 執快鎗之巡捕。 ² 承認。 ³ 同德醫校。 ⁴ 上海大學。 ⁵ 正式的命令。

Dr. Mei:—No, they had no definite instructions. My instructions are that they all went on their own hook.¹

The Court stated that a lot of evidence had been allowed in merely because the Court thought it would be best to let it in in order to allow people to air their views,² but the Court was not a court of enquiry into the action taken by the Police in dispersing this crowd³ and, therefore, argument should be confined to the evidence put in to prove and rebut this charge, only.⁴

Each Counsel⁵ was allowed 10 minutes in which to sum up.⁶

Mr. Ho Fei,⁷ through his interpreter,⁸ said that he had two answers to the allegations made by the prosecution.⁹ He would state his arguments against the prosecution's arguments first.¹⁰

The prosecuting attorney¹¹ alleged¹² that the students were under the influence of the Bolsheviks,¹³ and he had also said that there were books of a Bolshevik nature in the school and that letters had been received from Germany. According to

¹ 據我所知的學生，均自願出外者。 ² 發表他們的意見。 ³ 本公堂不能判斷巡捕解散羣衆之手續是否正當。 ⁴ 辯論祇能限於捕房所控之案情。 ⁵ 律師。 ⁶ 總結。 ⁷ 何飛律師。 ⁸ 繙譯員。 ⁹ 對原告之控訴，有兩個答語。 ¹⁰ 可將原告之控訴與被告之答辯兩兩對照。 ¹¹ 原告律師。 ¹² 稱。 ¹³ 學生爲過激黨所鼓動。

the Chinese idea of the translation of this word was that it was a kind of adjective, describing the terrible behaviour of the "Reds" of Russia.¹ According to the Chinese translation of the word, it meant that as soon as they wanted to do anything, they wanted to try and kill other people.

With regard to the books in the school, it was a kind of reference library,² which was not prohibited by any country,³ and with regard to the letter from Germany, it was only a personal letter which only said something about revolution.⁴ There was nothing in the letter about Bolshevism. Therefore, he maintained,⁵ there was not the slightest proof of Bolshevism.

With regard to the action of the Police, this was an action they could have taken only when it was absolutely necessary.⁶

According to the law, it was only if the students were going to kill the Police that the Police could kill the students.⁷ Six minutes before the firing, the Police were still able to use their power.

With regard to the defendants now in the dock,⁸ there were two kinds. One kind was the

¹ 爲描寫俄國紅黨可怖舉動的容形詞。 ² 參考書。 ³ 各國並不禁止。 ⁴ 個人之信件，內曾提及革命之事。 ⁵ 主張。 ⁶ 萬不得已時。 ⁷ 須至學生將殺巡捕時始能開鎗。 ⁸ 被告欄。

young patriotic student¹ who wanted to go out and let the people know about this shooting. With regard to this kind of lecture,² it was common in every country, not only in China. With regard to the methods they used, these were not in any way violent.³ They only used their mouths and literature.⁴ If the Police had not done too much, they would only have given the students some words of advice⁵ and the thing could easily have been finished. No violence had been shown by the students.⁶

The second class of people in the dock was those who had been wounded and sent to the Police Station from the Hospital. If they had been offending the Police rules,⁷ the Police would have arrested them before that. Their wounds had been caused by the Police,⁸ and it was not right that they should be charged just because they had been wounded.⁹ Whatever charges there were, there must be some sort of proof and against these men there was no proof at all.¹⁰ Not only had they not committed any crime,¹¹ but the Police were responsible for damages.¹²

¹ 愛國的學生。 ² 演講。 ³ 強暴。 ⁴ 用言語與文字。 ⁵ 勸告。 ⁶ 學生並無強暴的舉動。 ⁷ 違犯捕房章程。 ⁸ 爲巡捕所傷害。 ⁹ 惟因受傷而控告，於理不當。 ¹⁰ 不論所控何罪，均應有充分的證據，而對於此種被告，則毫無證據。

¹¹ 並未犯法。 ¹² 且巡捕應負賠償損失之責任。

Dr. H. C. Mei:—I will try to keep within 10 minutes. Your Honours have listened with a great deal of patience to the whole of this long and sad case,¹ and I do not wish to prolong the agony any longer than I have to,² but Your Honours have allowed a great deal of testimony to go in with respect to opinions as to whether the Police were justified in firing on these unfortunate victims,³ and you have also allowed medical evidence to be given as to whether the shots were from the back or from the front.⁴ If your Honours had not allowed that to go in but had simply tried the technical charges before you,⁵ then it would merely have been a case of rioting and the publication of these banners and I would have moved for dismissal of the case without going through all this testimony.⁶ In my humble opinion there is no question whatever that the Police have failed to prove the charges against the ~~students~~ students I represent.⁷ One or two policemen have come forward and picked out 3 or 4 men and said they were people they had arrested⁸ or turned over to others,⁹ but, against

¹ 蒙堂上耐心聽此慘案的始末 (按新聞報六月十二日之記載梅華銓律師之辯詞係由江一平律師傳譯) ² 我很不願意將此困苦之事延長時間 (指審時之煩惱)。 ³ 堂上已准許證人多名, 到庭陳述意見, 證明巡捕對付被害人之行為是否正當。 ⁴ 又准許醫生證明鎗彈是否從背後射進。 ⁵ 祇審法律上的控案。 ⁶ 則此案祇暴動與散佈旗幟之事, 本律師早應請求將此案註銷, 不必搜集各證人之供詞。 ⁷ 據鄙意看來, 捕房對於本律師所代表之學生, 完全不能證明其犯案之行為。 ⁸ 拘捕。 ⁹ 交付其他巡捕看管。

these individual accusations there is the unanimous denial of each and every witness for the defence,¹ so that, upon the weight of evidence,² I would ask your Honours to state that the preponderating weight of evidence is for the defence.³

But I cannot conceive of your Honours having held this protracted trial, nor can I conceive, in the Chinese people being interested in merely disposing of a number of charges of rioting against several students and other people.⁴ There are far larger issues facing this country at this time,⁵ and these issues have been partly threshed out in this Court,⁶ and I would ask the indulgence of the Court to touch upon them in my 10 minutes.⁷

As I have said, I have moved you to dismiss the charges against these students⁸ because the evidence is overwhelmingly in favour of the defence,⁹ so that I will say no more about that, but the larger issues¹⁰ which are facing the Chinese people at this time, and, I think, they interest the foreign community just as much as the Chinese

¹ 但對於巡捕所指出之被告人，則又經被告方面之各證人一致否認。² 權量兩方證據的輕重。³ 請堂上聲明被告方面之證據，其力量遠勝於原告之證據也。⁴ 但我不信公堂審此冗長之案件，其目的祇欲判決捕房所控之暴動案情，更不信中國之人民，祇希望堂上判決此種案情。⁵ 現時中國所欲解決之問題實較此區區之法律問題更為重大。⁶ 此種問題之一部分，已在本公堂內審問清楚。⁷ 應請堂上准我在此十分鐘內略略提及。⁸ 請堂上註銷對於學生之控案。⁹ 蓋被告方面之證據，非常充足。¹⁰ 較大的問題。

people¹—of these larger issues, I will only mention two.²

The first is the vague notions of equality.³ We are living in a different age to 1900 and the methods employed in the suppression of the Boxer rebellion are no longer employed,⁴ and cannot be employed in this 20th century.⁵ We have progressed two decades since then⁶ and the Chinese people have advanced in general intelligence.⁷ With that general advance in intelligence, we have become more sensitive to outside influence, whether Bolshevik, economic or socialistic.⁸ They are susceptible to these influences from abroad.⁹ Not least amongst these influences are the influences of humanity, considerations of humanity, notions and sentiments of patriotism.¹⁰ When I refer to notions of equality,¹¹ I mean to say that people cannot be expected in this age, to look without any question upon all manner of inequalities in their political and social life wherever they may be.¹²

• 我信中外人民，對於此種問題均極注意。 ² 此較大之問題，我特提出兩端。 ³ 第一端即迷離恍惚的平等思想。 ⁴ 征服拳匪之方法，不能復用於今日。 ⁵ 二十世紀。 ⁶ 閱時已二十餘年。 ⁷ 中國人民之智識亦已進步。 ⁸ 智識有進步，則人民對於外來的勢力，不問其爲過激的，經濟的，或社會的，其感覺心亦較爲靈敏。 ⁹ 甚易感覺此外來的勢力。 ¹⁰ 其中最顯著者，乃人道主義與愛國思想。 ¹¹ 平等思想。 ¹² 今日之人民，不論所處何地，在其政治或社會生活上如有不平等之待遇，均不能膜然視之，不加討論。

There are certain privileges in this country enjoyed by foreigners which are not enjoyed by the Chinese¹ I am not speaking of them in any spirit of anti-foreignism or criticism of the foreigners.² I am simply stating a fact,³ and the Chinese people, as they grow in intelligence and advance in progress, economic as well as social and political, are not disposed to tolerate them when they see those inequalities, even if they could.⁴ So that out of the ignorance of the past, the lethargy of the immediate past and in this new century of the League of Nations and of new world forces, let loose by the Washington Conference and other world conferences, they are looking into the future with greater hope and with aspirations which are legitimate to these people as well as to every people on earth.⁵ That larger issue of equality, as applied to the local situation, is that they should be treated as men and not as anything less than men.⁶

The other issue which I should briefly refer to is the demand and the desire and the earnest passion of justice which characterises the Chinese

¹ 外人在中國所享之權利，有非中國人民所能享受者。 ² 我提出此點，並非因我有排外思想，亦不欲對於外人加以批評。 ³ 說明事實。 ⁴ 中國人民於智識上，經濟上，社會上，政治上，既有進步，則見此不平等之待遇，當然不能容忍。 ⁵ 中國人民既已脫離無智識及昏睡之時代，而入於此國際聯盟之新時代，復有華府會議與其他會議所產生之新勢力爲之助，則人民對於前途，當然抱有極大合法的希望，此類希望，蓋即世界任何民族所應有者。 ⁶ 此種平等思想，就本埠之時局而論，即爲本埠之華人，應以待遇人類之方法待遇之，不應稍有缺點。

people at this particular hour.¹ In demanding this justice, they are not characterised by blood-thirst, nor are they persecuting any Police Officer or anything of that kind.² But they are looking for justice just the same.³ Judging the situation by these two larger issues⁴ I will leave the matter in your Honours' hands,⁵ knowing that the public will judge by your Honours' just decision in this matter,⁶ and by statements which have already been issued by responsible Chinese public men,⁷ that they are not anti-foreign nor Bolshevik, but that they are wanting what I have tried to characterise as equality and justice.⁸ In this time, when the atmosphere is so charged with bitterness and animosity, and national prejudices,⁹ it would be well for me to read the concluding portion of a statement issued by several Chinese statesmen,¹⁰ because this statement is conciliatory in nature, form and substance,¹¹ and I will conclude my remarks by reading the concluding portion of it.¹²

1 我還要略略提起一個大問題，即目下華人所要求和渴望的公道問題。2 華人所要求的公道，並不要有什麼流血的舉動，亦不是要將巡捕懲辦。3 但華人仍盼望公理得以伸張。4 就這兩個大問題而觀察時局。5 我現在將本案完全交付於堂上，聽憑判斷。6 輿論將視堂上公正之斷語為依歸。7 有責任的華人。8 他們的要求，並無排外或過激的色彩。祇求公道與平等的待遇而已。9 滿佈感惡與仇恨之空氣。10 中國政治家所發表的宣言中末後數語。11 其文字與精神均極和平。12 我的辯論亦即以此種宣言的結語為結束。

"So much of the welfare of the foreign communities in China, and the interest of foreign trade here, depend upon the existence of a feeling of mutual understanding and confidence, between the Chinese and foreigners in China,¹ that if not on the high ground of justice,² at least as a matter of sheer expediency,³ it would be well for the foreign nations or their agents in China,⁴ who still exercise special rights of a political character,⁵ nowhere exercised by foreigners in other great countries, and who still enjoy extraordinary privileges⁶ nowhere enjoyed by foreigners in other civilized lands, to seek to understand the view point of the Chinese people⁷ and at least in some measure to consult their interests in matters vitally affecting them,⁸ especially relating to questions arising in the foreign settlement⁹ where as a rule, they are not accorded the right to vote, which the foreign rate-payers enjoy,¹⁰ though they contribute the main portion of the Municipal revenue by paying the bulk of the taxes.¹¹

¹ 外僑在華之幸福，及在華之商業，均賴中外人士間之了解與信任心爲依歸。² 即不唱公理的高調。³ 祇就策略一方面立論。⁴ 在華之代表。⁵ 行使政治上的特權。⁶ 享受特殊之權利。⁷ 應研究中國人士的見解。⁸ 對於華人切身的事件，亦顧全他們的利益。⁹ 例如在租界內發生之事件。¹⁰ 外國納稅人享有參議權，而華人無之。¹¹ 而工部局稅捐之大部則由華人繳納。

"It is equally important, however, that no class of the Chinese people should seek to antagonise the foreign residents in China¹ or the countries they represent,² merely because they still hold on to their special rights and privileges.³ The great problem of treaty revision⁴ and re-adjustment of the basic relations between China and the foreign nations,⁵ can not be settled, to the satisfaction of both sides by coercion, antagonism, force or violence on either side.⁶ In the circumstances as they stand today, it can be settled only by friendly consultation, sympathetic understanding and mutual conciliation."⁷

It is in that spirit of conciliation⁸ and by attempting to understand the psychology of the Chinese people at this hour of transition⁹ that you will be able to get out of the atmosphere of bitterness¹⁰ and arrive at a just conclusion in this case.¹¹

Mr. Maitland:—The charges¹² are before the Court and certain of these men have been charged as ring leaders.¹³ Whatever other punishment the

¹ 華人亦不應仇視外僑。 ² 彼等所代表之各國。 ³ 祇因享受特權之故。 ⁴ 修改條約之大問題。 ⁵ 中外各國間國交之根本問題。 ⁶ 不能用威迫，仇視，武力，或強權而解決之 (coercion 音 kō-ûr/shūn)。 ⁷ 須用友誼的磋商，同情的了解，與和平的方法，始能解決此種問題。 ⁸ 以和平的精神。 ⁹ 了解中國人民於當今過度時代之心理。 ¹⁰ 脫出仇恨的空氣。 ¹¹ 依公道而判決本案。 ¹² 控告的案情。 ¹³ 魁首。

Court may give these men, I ask that the ring-leaders shall be expelled from this Settlement.¹ The Court has heard quite clear evidence² of what they were doing and we know perfectly well that the students of Shanghai University all went out on the same afternoon, with others, to give these lectures in the International Settlement,³ and it is undoubted that they must have had a combined arrangement⁴ together. The Court has had conclusive evidence⁵ of what kind of literature⁶ is used in this University. I said in my opening statement, that Bolshevism was behind all this,⁷ and I think I have proved that up to the hilt.⁸ At the same time, the Court has copies of the pamphlets which were distributed in Nanking Road⁹ by the students, and of the pamphlets which were found in the university so that there is little doubt the students were circulating¹⁰ these pamphlets.

(The Court here retired¹¹ for half an hour to consider its decision,¹² and, on returning the Magistrate first addressed the Court.)¹³

[The following is a translation of what the Magistrate said, as reported in the "Sing Wen

¹ 請將魁首逐出租界。 ² 證據。 ³ 在公共租界內演講。 ⁴ 事前的約定。 ⁵ 明確的證據。 ⁶ 書籍。 ⁷ 學生之行爲，均受過激主義之運動。 ⁸ 不容絲毫的疑惑。 ⁹ 在南京路散發之傳單。 ¹⁰ 散發。 ¹¹ 退庭。 ¹² 商議本案之判詞。
¹³ 先由正會審官關君宣佈本案之判詞。

Pao," June 12. *The Chinese text will be found in the foot-notes.

There are two different questions in this case: (1) Whether the accused are guilty on the charges made against them by the Police. This question is to be decided by the Court. (2) Whether the Police were justified in their action of shooting. This question should be settled by the diplomatic authorities after due inquiry. The Court finds that the accused, composed mostly of young students, protesting against the killing of a Chinese workman in a Japanese mill, started a campaign of speech-making and distribution of pamphlets within the International Settlement. A great majority of the accused were arrested before the firing took place, and the remainders were mere passers-by on the road. So the Court concludes that they had no intention of creating a riot. The Court therefore decides to release all the accused and return their bails, provided that they sign severally a bond to keep the peace. The Court deeply regrets

*關君宣佈本案判詞云，本案應分兩個問題，(一)對於捕房拘解被告人等是否有犯罪行為，應由本公堂審判。(二)對於捕房開鎗行為之是否正當，應俟外交當局調查解決，茲本公堂訊得被告人等，大多數係屬青年學子，因日人工廠內工人被殺，在租界內結隊演講，散發傳單，本公堂認為無欲暴動之意，且其拘入捕房時間，均在發生開鎗事件以前，尚有少數被告，訊係馬路駐看閒人，被告等著一律具結開釋，保洋發還，本埠發生此不幸重案，本公堂甚為惋惜，汝等青年學子，具有愛國思想，宜為國珍重，力持鎮靜，聽候解決，是所厚望。

that this unfortunate case had taken place under its jurisdiction, and hopes that the accused, who are young students, possessing patriotic sentiments, will await peacefully the final settlement of this incident.]

Mr. Jacobs afterwards said:—

As the Court has already stated, it is not passing judgment on the Police¹ in this case, nor will it comment on the problem mentioned by Dr. Mei in his argument.² The question before the Court is the charge upon which the accused have been brought here.³ On this point, the Court finds that on May 30, a number of Chinese students, among whom were some of the accused, began a campaign of speech-making and distribution of pamphlets in the vicinity of Louza Station,⁴ which the Police made efforts to stop,⁵ this campaign being directed as a protest against the death of a Chinese workman killed in a Japanese mill.⁶ These students were mere boys and youths, who the Court believes had no intention, at the beginning, to create a riot.⁷ Of those before the Court who are not students, the Court believes they were attracted to

¹ 並不判斷巡捕的行爲。 ² 對於梅律師於辯論時所提出之問題，本公堂亦不發表意見。 ³ 現在本公堂祇審捕房所控告的案情，決定被告是否犯罪。 ⁴ 在老開捕房附近演講與散發傳單。 ⁵ 捕房欲阻止之。 ⁶ 因日本紗廠內有華工一人被殺，學生出而抗議。 ⁷ 當初並無暴動行爲。

the crowd either by curiosity or accident.¹ In view of these facts, therefore, the Court only requires the defendants to sign a personal bond to keep the peace in future.²

The importance of the issues growing out of the case³ are such that I feel, after having been Assessor here for 7 years, and knowing a lot of Chinese, and having made many friends among them, that I personally regret that such feeling has arisen to jeopardise the relations between Chinese and foreigners,⁴ and I hope that cool and considered action⁵ by all in Shanghai will soon restore conditions to normal⁶ again.

Decision—"Bail forfeited for those who failed to appear.⁷ Others required to sign bond to keep the peace in future."

¹ 因好奇心動，偶然混入人叢中。 ² 令被告具結，以後嚴守秩序。 ³ 由本案而發生之問題。 ⁴ 致中外人士之關係處於危境，深為惋惜 (Jeopardise 音 jěp'ar-dīz)。 ⁵ 冷靜與安穩的舉動。 ⁶ 回復原來的狀態。 ⁷ 未到庭者將保銀充公。



THE JUNE 1 AFFAIR

Extract from Mixed Court Register¹ for
Tuesday, June 9, 1925

Assessor, Mr. Jacobs,² Magistrate, Mr. Kwan.³
(First hearing⁴—Tuesday, June 2, 1925.)

ACCUSED.

Tsang Zai Ching (張瑞卿)	Servant Aged 24
Yui Cha Ming (俞加明)	Cook ⁶ „ 23
Sung Ding Tsoong (沈定忠)	Servant „ 30
Sung Ping Fung (陳炳恒)	Coolie „ 20
Yuo Tung Yih (余德義)	Shop Assistant ⁷

CHARGE.⁸

*Riot.*⁹—Contrary to Article 164 and 165 of the C.P.C. Code.¹⁰ For that they did between 9.20 & 10.45 a.m. on the Nanking Road, knowingly continue in an assembly of persons¹¹ who had come together with intent to commit violence¹² after such assembly had been ordered by the competent authorities to disperse.¹³

¹ 會審公廨記錄摘要 ² 美副領事雅克博. ³ 正會審官關炯之. ⁴ 第一次審訊. ⁵ 被告人. ⁶ 廚司. ⁷ 店夥. ⁸ 控告之理由. ⁹ 聚眾暴動. ¹⁰ 違犯中華民國暫行新刑律第一六四, 一六五條 (C. P. C. Code=Chinese Provisional Criminal Code). ¹¹ 聚成羣衆. ¹² 蓄意暴動 ¹³ 經該管官廳命令解散.

Further charged:—For that they were concerned together with others not in custody¹ on the 1.6.25.² in attempting to injure certain persons³ by hurling bricks and stones at them,⁴ contrary to Article 313 of the C.P.C. Code.⁵

2nd accused further charged:—

For that he did on the 1.6.25. publish certain pamphlets which were tending to cause a breach of the peace and order,⁶ contrary to Article 16 of the Publication Laws.

First three accused further charged:—

For that they on the 1.6.25 did wilfully damage certain property belonging to another⁷ to wit,⁸ a motor car, contrary to Article 406 of the C.P.C. Code.⁹

ACCUSED.

Woo Pau Kung (胡家根) Brass Smith¹⁰ Aged 33.
Tsang Yoong Yui, (張永綏) Broker¹¹ Age 23.

CHARGE.

Riot. Contrary to Article 164 and 165 of the C. P. C. Code.

For that they did at 2.05 p.m. and 2.40 p.m. respectively,¹² on 1st of June, 1925, at Nanking

¹ 尚未拘獲之人。 ² = June 1, 1925. ³ 欲加害於人。 ⁴ 拋擲磚頭與石塊。
⁵ 違犯暫行新刑律第三一三條。 ⁶ 發行擾亂治安及秩序之文字。 ⁷ 故意損壞他人之財產。 ⁸ = namely 即。 ⁹ 違犯暫行新刑律第四〇六條。 ¹⁰ 銅匠。 ¹¹ 掇客。
¹² 依上面所列之次序。

Road, knowingly continue in an assembly of persons who had come together with intent to commit violence after such assembly had been commanded by the competent authorities to disperse.

(Note: At the first hearing of those cases, the Police asked for a remand¹ so that they could be brought before the same Court trying other cases,² and a remand was granted³ for the above date, but, owing to the time occupied in hearing the other cases,⁴ it was not possible to try this one until Friday, June 12, 1925.)

JUNE 10, 1925.

Mr. Okamoto⁵ made an application for bail on behalf of the 3rd accused,⁶ on the grounds that⁷ he was employed by a Japanese Mill⁸ and had been sent out on the day he was arrested to find the attitude of the students.⁹ The accused was a valued servant to the Mill management¹⁰ which was willing to undertake to produce him at the trial,¹¹ which, Mr. Okamoto stated, could not be, at soonest, until the following day.

Mr. Maitland for the prosecution, objected to bail¹² as the accused had acted violently before and when arrested.¹³

¹ 要求展期審問。 ² 與他案一同審問。 ³ 經公堂核准展期。 ⁴ 因審理五卅案。 ⁵ 岡本律師(日本籍)。 ⁶ 代第三被告(即沈定忠)請求保釋。 ⁷ 其理由爲..... ⁸ 爲日本紗廠之僱員。 ⁹ 日紗廠令伊出外調查學生之態度。 ¹⁰ 紗廠內得力之人員。 ¹¹ 願擔保屆期渠必到庭候審。 ¹² 原告律師梅脫蘭反對保釋之議。 ¹³ 被捕之前, 及被捕時, 均有暴動行爲。

Mr. Okamoto:—The accused is not of the coolie class,¹ and he is the Chinese teacher to the Japanese Mill staff.² It is not likely he would commit any violence.³

Assessor:—I think we might make the bail heavier than that of other accused on bail. We will allow \$300 bail.

JUNE 10, 1925.

Dr. D. S. Chen⁴ applied for bail on behalf of the 7th accused⁵ until the case against him could be heard. Mr. Maitland, for prosecution, said he did not object to \$100 bail.

DECISION.

“\$100 Bail.”

JUNE 11, 1925.

Dr. D. S. Chen asked for a reduction of bail⁶ in the case of the 7th accused, as the accused was not able to find \$100.

The accused, in reply to the Magistrate, said he could only find \$5 bail—maybe \$20.

Dr. Chen also applied for bail in the case of the 6th accused. The accused, Dr. Chen said, had no money, and had no friends to give shop security⁷ for him.

¹ 並非苦方一類之人物。 ² 廠內日本職員所聘之華文教員。 ³ 不致有暴動之行爲。 ⁴ 陳霆銳律師。 ⁵ 代第七被告人請求保釋。 ⁶ 請求將保銀減少。
⁷ 鋪保 (店舖之擔保)。

DECISION.

"Bail reduced to \$50 for Nos. 1 and." ² [Nos. 6 and 7].

Mr. Eugene Y. B. Kiang¹ applied for bail on behalf of the 1st, 2nd and 4th accused.

DECISION.

"Nos. 1, 2 and 4 on \$300 bail, cash or shop."²

PROCEEDINGS,³ FRIDAY JUNE 12, 1925.

Mr. Maitland appeared for the prosecution.

Dr. D. S. Chen appeared for 7th accused.

Mr. Eugene Y. B. Kiang appeared for the 1st, 2nd, 4th and 5th accused.

Mr. Okamoto appeared for the 3rd accused.

Dr. Fischer⁴ appeared for the 5th accused.

Mr. Maitland, in opening the case, said:—

All these men are charged with rioting⁵ in the Nanking Road on Monday, June 1. They are also charged under Section 3, Article 313 of the Chinese Provisional Criminal Code⁶ with attempting⁷ together with others not in custody,⁸ to cause injury

¹ 江一平律師。 ² 現銀保證或舖保。 ³ 訴訟手續。 ⁴ 裴斯律師。 ⁵ 因暴

動被控。 ⁶ 暫行新刑律第 313 條第三款。 ⁷ 意欲..... ⁸ 尚未拘獲之人

to certain, persons¹ by hurling bricks and stones at them.²

The second accused is also charged under Article 16, Section 11 B of the Publication Laws,³ with distributing inflammatory matter,⁴ and the first three are charged under Article 406 with doing damage to a motor car.⁵

On the occasion these charges are brought, there was a very serious riot on the Nanking Road, when the pavement was pulled up,⁶ bricks were thrown at the Police, and people on the top of the Wing On and Sincere Buildings were also throwing missiles.⁷ On that occasion, again the affair became so serious that the Police had to fire.⁸ The Court will remember that Dr. Davenport⁹ produced a statement¹⁰ yesterday, showing exactly where every person was injured,¹¹ and, although it does not affect the charges against these men,¹² I should like to put that report in so that it will be on the record of the case.¹³

(The Court agreed to accept this exhibit.¹⁴ See Exhibit at the end of this record.)

¹ 欲加害於人。 ² 投擲磚石。 ³ 出版法。 ⁴ 發行擾亂治安之文字。 ⁵ 損壞汽車。 ⁶ 階沿被人撬起。 ⁷ 投擲石塊。 ⁸ 巡捕不得不開鎗。 ⁹ 山東路仁濟醫院主任醫生。 ¹⁰ 提出報告書。 ¹¹ 證明受傷人之傷狀。 ¹² 對於各該人之控案，並不因其受傷而有所變更。 ¹³ 請將此項報告列入本案之記錄內。 ¹⁴ 經公堂核准，作為本案之附錄。

**Evidence of Sub-Inspector¹ W. D. McGillivray,
Municipal Police.²**

Question—Were you on-duty on the Nanking Road on June 1?

Answer—I was.

Q—What did you see there?

A—Shortly after 9 a.m. I received word at Louza Station,³ that rioting was going on on Nanking Road.⁴ I got a small squad of Sikh and Chinese Policemen⁵ and took them along Nanking Road. Between Chekiang Road and Fokien Road, there were crowds on both sides of the road, and on the side streets. Some of them were attacking motor cars and others train cars.⁶ There were cobble-stones and bits of glass and so forth flying about in the air.⁷ I myself, had my hat knocked off 3 times.⁸

Q—What by?

A—By bricks and pieces of glass. On arrival at Fokien Road, there was a tram car approaching from the east. The 2nd accused was leading the crowd, throwing sheaves of straw across the road⁹

¹ 副捕頭。 ² 工部局警務處。 ³ 在老關捕房內接到報告。 ⁴ 謂南京路有擾亂情事。 ⁵ 率領印捕及華捕一小隊。 ⁶ 擊毀汽車及電車。 ⁷ 石塊及碎玻璃等飛在空中。 ⁸ 我自己所戴之帽，亦被擊落三次。 ⁹ 將稻柴數捆，鋪在街面上。

in front of the tram car. I had to disperse the crowd¹ with my squad of men and accused was arrested by two plain clothes constables,² foreign constables.

All the accused were arrested on Nanking Road during that time at different places by different men.

I then returned to the Nanking-Chekiang Road corner. That was after 10.30. I did not look at my watch. On arrival there was a huge crowd at the juncture of Hupeh and Kiukiang Roads³ on the south side of Nanking Road. A fire engine⁴ was there and the firemen had the hose laid out,⁵ but it appeared to have no effect whatsoever on the crowd.⁶

Q—The fireman was actually using the hose?

A—Yes, he was using the hose. The air was blue with bricks,⁷ and they were attacking the firemen with cobble-stone.⁸ I placed my men in position⁹ and, pulling out my revolver, I pointed it at the crowd.¹⁰ This had no effect.¹¹ They made another rush then toward the fire engine.¹² I believe one or two firemen were injured. In about 3

¹ 將羣衆驅散。 ² 被便衣巡捕所拘。 ³ 湖北路九江路轉角有大隊羣衆。 ⁴ 救火車。 ⁵ 皮帶已裝就。 ⁶ 惟羣衆並不畏懼。 ⁷ 空中但見磚石紛飛。 ⁸ 救火員又被羣衆以磚石投擲。 ⁹ 令巡捕站齊。 ¹⁰ 舉手鎗指向羣衆。 ¹¹ 無效。 ¹² 向救火車衝擁。

minutes time, I could see the situation was getting so serious¹ that if I did not open fire, the fire engine and the men in charge of it would probably be killed and I, myself, as well.² This had the effect of dispersing the crowd.

Q—How many persons fired?

A—Several other police came on the scene³ after I put my squad in position, and they also fired. In all anything between 30 and 40 rounds were fired.⁴

Q—After that the crowd dispersed?

A—Yes, we found four men on the road wounded.

Q—Can you tell us from which places you saw the mission⁵ [missiles] being thrown?

A—They were thrown in all directions⁶ but the majority⁷ of them were coming on the south side of Hupeh Road. After this had happened, I sent for the ambulance and had the men conveyed to to Shantung Road Hospital.⁸

Cross-examined by Mr. Kiang—

Q—Among the accused, only the second accused were [was] arrested by you?

A—He was not arrested by me.

¹ 形勢極為嚴重。 ² 我及救火員將被打死。 ³ 到場。 ⁴ 約放三四十響。
⁵ 所投之石塊。 ⁶ 由各方面飛來。 ⁷ 大半。 ⁸ 即令騎車將傷者送入仁濟醫院。

Q—You say the charge against him is that he threw some straw in front of a tram car with intent to light it?¹

A—I saw him throwing straw across the road in front of a tram car and it passed through my mind² that they were probably going to derail the car³ and set fire to it.

Cross-examined by Mr. Okamoto:—

Q—Who arrested the 3rd accused?

A—I don't know.

Q—He was brought to the Station?

A—Yes.

Cross-examined by Dr. Chen:—

Q—You arrested the last accused?

A—No.

Q—He was arrested in the same incident?⁴

A—He was arrested on that morning some time between 9.30 and 10. The man who arrested these accused are in Court.

Evidence of P. C. C.⁵ Bebinin

Question—You are plain clothes constable attached to Central Station?⁶

Answer.—Yes.

¹ 將稻草舖在電車前面，意欲點火燃燒。 ² 我當時想着。 ³ 恐欲使電車出軌。 ⁴ 事變。 ⁵ = Plain Clothes Constable 便衣西捕。 ⁶ 隸屬於總巡捕房之便衣巡捕。

Q—Were you at Louza on June 1?

A—Yes.

Q—What did you do there?

A—Sometime after 9 a.m. I and P.C.C. Telfer went to patrol¹ the Central District. When we got near to Honan Road, we saw a big crowd in the direction of Louza District. We decided it was our duty to see what was going on. When we came near Wing On's we saw a crowd of about 2,000 men or more and there were very few policemen. We decided we would have to assist² them at once because the crowd was making a disturbance³ and the Police could not control them at all.

Q—What did you do?

A—Chinese were coming out from the side streets all the time, more and more of them, and tried to stop traffic.⁴ We tried to push away the leaders, the men who were more active⁵ than the others.

Q—Did you make any arrests?

A—Yes, I made three arrests.

¹ 巡察. ² 帮助. ³ 擾亂. ⁴ 不許車輛通行. ⁵ 活動.

Q—Which are they?

A—Nos. 1, 2 and 4. I arrested the last accused and another constable helped me to take him to the Station, because he tried to escape¹ all the time and asked the crowd to release him.² A few attempts³ were made to do so.

Q—What was the 2nd accused doing when you arrested him?

A—About 20 minutes before I arrested him I saw him trying to stop a tram car. He stood in the way of the tram. I pushed him aside, then the crowd stopped a private motor-car.⁴ I do not remember the number. It stopped across the road and the chauffeur⁵ tried to get the traffic to move aside. This man was the leader in stopping it, and several hundred Chinese almost tore the car to pieces.⁶ We had a very hard time bringing him to the Station.⁷ He tried to resist⁸ many times and asked the crowd to help him. We pulled our pistols out⁹ and so prevented the crowd from rescuing him.¹⁰ When he came to the Station, he called me 'master' and said he was employed as a 'boy.'¹¹ He was very quiet then.

€

¹ 脫逃。 ² 請羣衆代他要求釋放。 ³ 嘗試。 ⁴ 私人的汽車。 ⁵ 汽車夫
⁶ 將汽車撕破。 ⁷ 將他們押至捕房，頗不容易。 ⁸ 抵抗。 ⁹ 將手鎗拔出。 ¹⁰
不許羣衆劫救。 ¹¹ 侍者。

The 4th accused was arrested subsequently.¹
No missiles² were being thrown at that time.

Cross-examined by Mr. Kiang:—

Q—At that time, you said there were about 2,000 people on the Nanking Road?

A—On the Nanking Road—more than 2,000.

Q—How wide is the Nanking Road, and how many people can be contained in that part?

A—You mean up to Honan Road?

Q—I said on the Nanking Road.

A—Altogether it is a very big place from Thibet Road to Homan Road.

Q—You could count them?

A—No, but I went right through them.

Q—How many people were actually³ in that very place where you arrested the 1st accused—approximately?⁴

A—In the width of Nanking Road, one block long,⁵ I think about 1,000 people.

Q—Then not only the pavement but also the roadway was occupied?⁶

A—Yes, the motor car first stopped was in the middle of the road.

¹ 後來。 ² 投擲之石塊。 ³ 實在。 ⁴ 大約。 ⁵ 在兩條橫路中間之一段。

⁶ 然則不但階沿上有人，即路中亦有人

Q—So the first accused was not standing in the tramway¹ but simply standing in the big crowd?²

A—When first I saw him, he was standing by himself and then he came into the road and called on the others and they also came. I pushed him aside³ because he was the first to come on the road.

Q—And then, afterwards, there was a big crowd?

A—Yes.

Q—If he wanted to retreat,⁴ he could not?

A—Oh yes, he could.

Q—You said he intended to tear the motor car to pieces.⁵

A—He did not intend, he did tear the back of it to pieces.⁶

Q—What weapon⁷ did he use?

A—His hands.

Q—Do you think he could tear it with his hands?

A—I do not think, I know, I saw it.

¹ 電車路。 ² 站在人叢中。 ³ 將他推開。 ⁴ 退後。 ⁵ 意欲將汽車撕破。
⁶ 不但蓄意如此，且實行將汽車之皮篷撕破。 ⁷ 兇器。

Q—When he was arrested did he try to resist?¹

A—He made a few attempts² but he did not succeed³ because I am stronger than he is.

Q—How stronger?

A—Physically stronger⁴

Q—And you held him?

A—Yes, by the coat and by the hands.⁵

Q—Is it not a fact that he wanted you to release⁶ him and not hold him by the collar?⁷

A—No, he tried to run away and he did once, but I caught him again.

Q—I did not hear what evidence⁸ you gave against the 2nd accused.

A—I did not give evidence against him.

Q—You arrested him?

A—Yes.

Q—What was he doing?

A—A number of Chinese were throwing straw on the tramway lines⁹ and when the Police came by, the place had been nearly cleaned, but this man was still throwing straw. The police told him not to do so but he was still doing it; so I arrested him.

¹ 抵抗. ² 嘗試. ³ 成功. ⁴ 體力較強. ⁵ 執其衣及手. ⁶ 釋放. ⁷ 衣領. ⁸ 證據. ⁹ 將稻草鋪在電車軌道上.

Q—Then you said the 4th accused lay on the tramway with the intention of stopping the tram-car from running?¹

A—Yes, this was about the time the Police nearly got control of the crowd² and the traffic was going on.³ He saw that the other Chinese would not try to stop the trams any more, so he jumped out of the crowd himself and lay down. When he saw the Police coming, he jumped up and ran very quickly. I had to run to catch him.

Q—At the time when he lay down on the tram-car line, I presume⁴ you could not see him as there was so large a crowd?

A—I just mentioned to you that the Police had taken a little control of the crowd and the road was clear⁵—not the whole road, but the place where the tram passes.

Q—So you were able to see clearly?

A—Yes.

Q—How long did he lie down?

A—I just had enough time to get to him from where I was standing.

Q—About 10 seconds?

A—10 or 15 or 20 seconds.

¹ 臥於電車軌道上，意欲阻止電車。 ² 巡捕已能控制羣衆。 ³ 車輛已能通行。 ⁴ 信。 ⁵ 路上無人。

Q—At that time was there a tram coming?

A—Yes, that is why he lay down.

Q—He wanted to commit suicide?¹

A—No, I was sure he would jump away. He knew the car would stop. It was going very slow. I think he did not want to commit suicide. As soon as he saw the Police, he ran away quickly.

Assessor:—You say the first man, the leader more or less, was the first persons to step out of the crowd into the roadway?²

A—Yes.

Q—When he went up to the motor car, just what did he do to it.

A—He first started to pull the hood³ of the car and then the others helped him to knock it down.⁴ Then they tore it to pieces.⁵ When the Police came, all the Chinese ran away except this man.

Q—You actually⁶ saw him taking it in his hands?

A—Yes, he was holding the car; I had to force him away from it.⁷

Q—You saw him tear the hood?

A—Yes.

¹ 欲自盡 (音 sǔ/ī-sīd). ² 走至路中. ³ 汽車之皮篷. ⁴ 敲破. ⁵ 撕破.

⁶ 實在. ⁷ 用力將他拉開.

Q—What other damage¹ did he do? Did he break any glass?

A—I am not sure about that. I did not have enough time to notice and the car disappeared² very quickly. I did not even have time to take the number.³

Q—Who was in the car?

A—A Chinese chauffeur.⁴

Q—No one else?

A—No.

Magistrate:—Was the hood of car made of wood, cloth or leather?⁵

A—Pieces of wood and leather, it was not a closed car.⁶

Q—Do you think a man can tear it off with his hands?

A—Yes, they did so.

Q—Is the car here?

A—No.

Q—The tram cars [text missing].

A—No. We stopped the crowd by pulling out our pistols.⁷

¹ 損害。 ² 不見，行開。 ³ 即汽車之號數亦未及記下。 ⁴ 汽車夫。 ⁵ 汽車之篷係木製，抑皮製。 ⁶ 並非轎車。 ⁷ 拔出手鎗阻止羣衆。

Q—Did they strike the chauffeur of the car?¹

A—I did not see it.

Q—What about the second accused?

A—The main thing against him was that he was in the crowd placing straw on the road, and after the Police dispersed² the others, he still continued trying to do it.

Cross-examined by Mr. Kiang.

Q—Has any owners of any motor car made any complaint of any damage to his car after the accident on June 1?³

A—I could not tell you. I do not think they would because the chauffeur was Chinese.

Magistrate—Do you know whether it was owned by a Chinese or a foreigner?

A—No, I could not tell you. If it had been owned by a foreigner, I am sure he would have complained.⁴

(This concluded the evidence of this witness.)

Evidence of Plain Clothes Constable⁵ Telfer, Municipal Police, Central Station.

Question—Were you with the last witness on June 1?

Answer—Yes.

¹ 曾否將汽車夫毆打。 ² 驅散。 ³ 六月一日肇事後，汽車主人曾否前來報告該車被人損壞之事。 ⁴ 報告。 ⁵ 便衣巡捕。

Q—Did you assist him to arrest anybody?¹

A—I did.

Q—Who?

A—No. 1 and 2 accused.

Q—What were they doing?

A—To start off,² P.C.C. Bebenin and I were patrolling Nanking Road.³ When we came to the boundary of Central District which is Shanse Road, we noticed a crowd near Fokien Road. We walked due west towards the crowd,⁴ and when we got there, we noticed the first accused playing a very prominent part in the crowd.⁵ He was standing in front waving his hands towards the crowd.⁶ Sometimes his back was towards us and sometimes he was facing us. At the time, I remarked to my colleague⁷, “I think we will have to watch this fellow.⁸” We met D. S.⁹ Papp and walked towards the Station with him. We turned at Louza Gate and came east again. When we arrived at Fokien Road, we saw the tram cars were being stopped. I may state it was past Fokien Road at the time and on the north side of the tramway line, I saw a

¹ 幫助他拘人。 ² 從頭述說。 ³ 在南京路上巡察。 ⁴ 向正西進行，至羣衆站立之處。 ⁵ 在羣衆中極爲活動。 ⁶ 向衆人招手。 ⁷ 我對同事之人說。 ⁸ 我們應當注意這個人。 ⁹ —Detective Sergeant 西探目。

fellow with a blue gown¹ and the first accused walking out in front of the tramway lines. The first accused was playing a prominent part.² Then a Ford car came as if from the south, going due north.³ We saw the crowd rush towards it and I watched this fellow particularly.⁴ The hood was the usual hood of the Ford car with two celluloid windows at the back.⁵ I saw the accused push his hand into the back to break the windows and pull the hood down.⁶ By this time P.C.C.⁷ Bebenin rushed into the crowd and arrested the accused.⁸ At that time, we drew our revolvers⁹ just to frighten the crowd¹⁰ to make them clear away¹¹ and the chauffeur reversed his engine¹² and I think he went off in a westerly direction.¹³

Assessor:—The accused tore the hood of the car?

A—Yes, the celluloid windows.¹⁴ They were apparently¹⁵ pushed in with his hands like this (demonstrated.)¹⁶ With the opening he made, he then pulled the whole thing down.

Q—Just ripped the hood back?¹⁷

A—Yes.

1 藍色長衫。 2 頗爲活動。 3 向正北行去。 4 見羣衆向該車衝擁，我就特別注意此人。 5 汽車之皮篷，與普通「福特」車之式樣相同，後面有玻璃紙之小窗兩扇。 6 撕破小窗，拉下皮篷。 7 =Police Constable 西捕。 8 將被告拘捕。 9 拔出手鎗。 10 恐嚇羣衆。 11 使他們散開。 12 車夫即將汽車折回。 13 向西而去。 14 玻璃紙之小窗。 15 似係。 16 表演。 17 將皮篷向後拉下。

Cross-examined by Mr. Kiang.

Q—You only saw him tearing the hood down?

A—Yes, I saw him walking with a man in a blue gown. He took a leading part.¹

Q—Could you notice him easily because he was tall?

A—No, because of the way he was carrying on in the crowd.²

Q—And you say he was coming from the tramway line to the side of the road in order to tear up the car?

A—Yes, he rushed with the crowd; they all rushed together, and they got jammed on the pavement.³ This man took a very prominent part.⁴

Q—Then he had no intentions to stop any tramcars?⁵

A—He had every intention,⁶ but when he saw the crowd coming, he took a prominent part in ripping off the hood of the car.⁷

Q—Did you examine the car yourself afterwards?

¹ 爲首領。 ² 因他在羣衆中間的舉動而知之。 ³ 在階沿上擁擠不堪。 ⁴ 此人極爲活動。 ⁵ 並無阻止電車行駛之意。 ⁶ 確有此意。 ⁷ 竭力將汽車皮篷撕破。

A—No, the car could not get away quickly enough.¹

Q—Did you get the number of the car?²

A—No, I was too busy with this man. Sub-Inspector³ Beale was in the car.

Q—Then he will be able to testify?⁴

A—Yes, he had just come back from long leave⁵ at the time.

Q—With regard to the 2nd accused, you saw him waving his hands in the midst of the crowd?

A—I was coming back from Louza Station due east,⁶ and saw a tram car stop at Fokien Road. I saw several piculs of straw⁷ being laid on the ground. I rushed up and saw this man bending down. Bebenin rushed after him and arrested him. When about 10 feet from the crowd, I got hold of him and a Special Constable⁸ came across to help us take him to the Station.

Assessor:—You actually saw him spreading the straw?

A—No, when I came on the scene,⁹ he was bending down as though prepared to lift a picul or two and throw it towards the centre of the road.¹⁰

¹ 汽車急忙行去，惟恐不及。 ² 曾否抄錄汽車之號數。 ³ 副捕頭。 ⁴ 到廳作證。 ⁵ 長期的請假。 ⁶ 正東。 ⁷ 稻草數擔。 ⁸ 特別巡捕，由外國商人充任者。 ⁹ 到場。 ¹⁰ 似欲舉起稻草一二擔，擲於路中。

Q—How many bundles?¹

A—I could not tell exactly. It was distributed on both rails about 9 inches thick and 1 yard long.²

Q—Was there only one bundle?

A—No, I am referring to the size of 1 bundle. (This concluded the evidence of this witness).

**Evidence of P.S.³ H. Cadd, Municipal Police,
Louza Station.**

Question—Did you arrest the 6th accuse?

Answer—No, I arrested the third accused.

Q—What was he doing?

A—Shortly after 9 A.M. on June 1, I went out of the Station in company with some more officers and Sikhs.⁴ We were told to clear the Nanking Road⁵ from Chekiang to Fokien Road. I was on the north side of the road with a few Sikh constables⁶—I do not know how many. Special Constable No. 196 was also with me. There was a large crowd on the north side of the road, and we gradually forced them eastwards.⁷ The third accused was among the crowd and continually coming out to the front and shouting something to them in Chinese.

¹ 細。 ² 散布於兩條軌道上，厚九吋，長約一碼。 ³ = Police Sergeant 三道頭西捕。 ⁴ 與捕房其他人員及印捕數人一同出外。 ⁵ 驅散南京路上之閒人。
● 印度總捕 ⁷ 漸漸將他們驅至東面。

Q—Did you hear what he said?

A—I could not understand what he said. We went a little further down the Nanking Road and the crowd turned into an alleyway.¹ The accused was amongst them. He was standing a few yards inside the alleyway, still addressing the crowd.² He picked up a large stone and threw it at me, and shouted “Come here and I will kill you” in English. Special Constable 196 and myself went into the alleyway and arrested him.

Q—Did he hit you with the stone?

A—No. On the way to the Station, he resisted violently³ all the way and kicked the special constable all the time. He was continually shouting to the crowd which was following behind.

Q—Were any missiles⁴ being thrown at this time?

A—No, nothing at that time except the one stone thrown by the accused.

Cross-examined by Mr. Okamoto:—

Q—Could you show me which alleyway you went in on this plan?⁵

A—I am afraid the alleyway is not on this plan.

¹ 羣衆轉入小路內。 ² 向衆人講話。 ³ 竭力抵抗。 ⁴ 投擲之物。 ⁵ 在這張圖上，能否指出你所進的小弄。

Q—Were there any people there?

A—Yes, there was a crowd in the alleyway.

Q—How many?

A—I could not say exactly, 2 or 3 hundred.

Q—Is it a small alleyway?

A—Yes.

Q—Were the other people quiet?

A—No they were cheering¹ all the time.

Q—They were shouting?

A—Yes.

Q—You could hear the accused shouting particularly?

A—Yes, he was standing out in front waving to the people and shouting at the same time.

Q—When he threw the stone at you, how far were you standing from him?

A—He was only a few yards away from me, just inside the alleyway.

Q—What was the size of the stone?

A—A little bigger than my closed fist.²

Q—Were there any stones on the ground?

A—There were a few loose stones³ in the alleyway.

¹ 呼喊. ² 比拳頭稍大. ³ 在地面上的碎石.

Q—Was it not brick?

A—It was stone.

Q—What sort of hat was he wearing?

A—He was wearing a kind of old slouch hat.¹

Q—Not a straw hat?

A—No.

Q—He had nothing to do with the motor car?

A—No.

(This concluded the evidence of this witness.)

Evidence of Irwine Joseph Billington Scott, Special Constable, Police Reserve,² No. 196, merchant's assistant, Foster, McClellan & Co.³

Question—You were with the last witness when the accused (3rd) was arrested?

Answer—Yes.

Q—Tell us about the arrest.

A—Just about 9.30, I was detailed with other Specials to help to clear the Nanking Road.⁴ We commenced⁵ on the west side of Chekiang Road and went east. By circumstance, I was placed on the north side of the road, quite near Sergeant Cadd. We were clearing the road until we got to an alleyway. The accused was rather conspicuous

¹ 垂緣帽。 ² 後備巡捕。 ³ 兜安氏西藥公司行員。 ⁴ 奉命與其他特別巡捕同至南京路驅逐閒人。 ⁵ 開始。

by his actions¹ and he continually endeavoured to pass me,² at the same time, he was calling out to the rest of the crowd to come on. He, eventually,³ went down this small alleyway. At that time, I was slightly in front of the sergeant. As he had been conspicuous I noticed him particularly⁴ and then he called out, "Come on, I will kill you," just previous to which he threw a stone. I looked round for the Sergeant and he said "Come on" and we went after the accused. It was necessary to go some little way down the alleyway. When we endeavoured to arrest the accused, he resisted violently,⁵ during, which, he kicked me on the ankle,⁶ and did all he could to prevent being taken to the Station.⁷ The Sergeant got a Sikh constable and we both took him to the Station.⁸ The Sergeant, meantime, talked to the crowd behind. I did not arrest anybody else.

Cross-examined by Mr. Okamoto:—

Q—When you went for him, did he try to kill you?

A—No.

Q—He struggled to avoid arrest.⁹

A—Yes.

¹ 舉動頗爲顯著。 ² 屢欲在我身旁走過。 ³ 後來。 ⁴ 特別注意。 ⁵ 竭力抵抗。 ⁶ 踢我腳踝。 ⁷ 盡力脫逃。 ⁸ 三道頭命各印捕幫我將他帶至捕房。 ⁹ 力圖脫逃。

Q—Did you notice his hat?

A—No, I did not, I noticed his face. I may say, he said he had lost his hat.

Q—He did not have any hat?

A—Not when we arrested him.

By the Magistrate:—

Did he throw one stone, or two?

A—Only one. It was a piece of granite¹ about the size of your fist.² I was looking down the alleyway³ and saw him throw it. The stone was picked up by someone, I believe.

Q—Was it brought to Court this morning?

A—No.

Q—You are positive⁴ the 3rd accused is the man?

A—He is the man.

(This concluded the evidence of this witness).

**Evidence of Clifford Mansel Reece, Special
Constable 193, barrister-at-law, Messrs.
Platt & Co.⁵**

Question—Which of these men did you arrest?

Answer—I arrested the 5th accused, the small man.

¹ 花岡石, 砌馬路用之石塊 (音 grǎn'it). ² 其大如拳. ³ 小徑. ⁴ 確實.

⁵ 哈華托律師處幫辦律師.

Q—Was that on the 1st of this month?

A—Yes, on the Monday morning.

Q—About what time?

A—Just about 11 o'clock.

Q—What was he doing?

A—He was distributing pamphlets in an alleyway just off the Nanking Road.¹

Q—Have you got the pamphlets?

A—They were put in last time—a whole bunch of these pamphlets,² and we identified³ them then.

Q—Did he make any resistance?⁴

A—Yes, he tried to get away on the way back to the Station. In fact, he did get away.

Q—You were able to catch him again?

A—Yes.

Q—What was the state of the crowd at that time?⁵

A—Well, there were thousands of people in Nanking Road at the Chekiang Road corner, and as we went along, the crowd followed us and closed in behind us.⁶

Q—What did the crowd do? Were any missiles⁷ being thrown?

¹ 在南京路左近小街內散發傳單。 ² 傳單一大束。 ³ 辨認。 ⁴ 抗拒。 ⁵ 那時羣衆的態度如何。 ⁶ 從後面將我們包圍。 ⁷ 投擲之物。

Dr. Fischer:—My client is not charged with throwing stones.¹

A—The crowd were throwing bricks and stones, and some bricks were coming from the upper windows of Wing On's just when we were passing there.

Q—Any bricks from Sincere's?

A—I did not see any.

Dr. Fischer:—I have no questions at all.

Assessor:—He was just distributing pamphlets?²

A—Yes, we saw the crowd getting pamphlets from somewhere and we tracked them down to this alleyway³ where this accused was giving them to the crowd.

Q—How far was this from Wing On's where the main trouble was?

A—About 20 to 30 yards.

Q—Fairly near?⁴

A—Yes, there were two police with me, they have already given evidence⁵ in the Court.

(This concluded the evidence of the witness).

¹ 控告單內並不指明敝當事人係投擲石塊者。 ² 散發傳單。 ³ 追踪至此小街內。 ⁴ 很近。 ⁵ 證據。

**Evidence of Mr. Sideny Young, Special
Constable No. 237, barrister-at-law,
Messrs. Hansons.¹**

Question—Did you arrest the 7th accused?

Answer—I did.

Q—When was that?

A—I was on duty on the Nanking Road about 2.35 or 2.40 in the afternoon and my attention was attracted to a crowd assembling on the corner of Nanking and Fokien Roads.² I walked over and saw the accused and two or three other men engaged in an altercation with two or three volunteers on picket duty.³ The volunteers three times told the accused and the other men with him that they could not proceed⁴ up Nanking Road. At the third time, the other men went away, but the accused became very violent and abusive in his language⁵ and attempted to force his way through.⁶ His language so far as I could judge was so violent in tone that a large crowd collected.⁷ When I took him into custody,⁸ he and the others started to make a demonstration.⁹ I took him to Louza

¹ 高易律師處幫辦律師。 ² 我就注意在南京路福建路轉角的羣衆。 ³ 與出防之商團爭辯。 ⁴ 前行。 ⁵ 發激烈之言語。 ⁶ 強欲走過馬路。 ⁷ 依我猜測者，其語言極爲強硬，致路上有多人圍聚而觀。 ⁸ 管押。 ⁹ 示威。

Station where he was charged,¹ and he was recognised² by two foreign policemen as a man they had had trouble with on the morning of the same day.

Q—Were any whistles³ being blown at that time?

A—No, there was no riot⁴ then.

Q—Was this after the shooting?

A—Yes, this was in the afternoon and no Chinese were allowed to pass up that part of Nanking Road.

Q—You say the crowd made a demonstration. What kind of demonstration?

A—They started to shout; violence was used.⁵

Cross-examined by Dr. Chen:—

Q—How large was this crowd when you arrested him?

A—I should think there were about 200 people at this street corner, and more were coming up the whole time. There was a certain amount of traffic⁶ as well—ricshas.

Q—What was the defendant⁷ doing?

A—He was trying to force his way through the picket of volunteers?⁸

¹ 看管. ² 認出. ³ 警笛. ⁴ 暴動. ⁵ 用武力. ⁶ 車輛. ⁷ 被告. ⁸ 強欲走過商團之防地.

Q—Did you know what trouble he had had with the volunteers?¹

A—When I arrived, I saw them telling him he could not proceed up Nanking Road and motioning him to get back.² They did that 3 times and then he started being violent in his language and tried to push his way through.

Q—Who were these volunteers?

A—I do not know; I believe they were members of "A" Co.

Q—They are not in Court today?

A—No.

Q—You say the defendant shouted out?

A—Yes.

Q—What did he shout out?

A—I do not understand Chinese.

Q—You say he struggled to pass through the Nanking Road?³

A—Yes. At that time no Chinese were allowed to pass through. They were allowed to cross the road and there was a large amount of traffic going across Fokien Road.

¹ 因何與商團爭辯。 ² 揮手令去。 ³ 強欲穿過南京路。

Q—Was there any previous notice to the defendant¹ that no Chinese would be allowed to pass through at that time?

A—I do not know.

Q—Were foreigners allowed to pass?

A—Foreigners in uniform,² yes.

Q—Were any other foreigners there?

A—I do not know, I did not see any. Nan-king Road at that time was absolutely empty³ except for troops and the Police on patrol,⁴ so that it was obvious that traffic had been stopped.⁵

Q—These volunteers were armed⁶ at the time?

A—Yes.

Q—You say he got into trouble with two volunteers?

A—Yes, I think it was two.

Q—Do you think it was possible for him to push through?

A—I do not say it would have been possible. The volunteers asked me to take him into custody⁷ because they did not wish to stop him with their bayonets⁸ when he tried to go through.

¹ 曾否預先通知被告。 ² 穿制服之西人。 ³ 空無一人。 ⁴ 祇有軍人及巡捕 (patrol 音 pā-trōl'). ⁵ 車輛不得通行。 ⁶ 商團是否武裝。 ⁷ 管押 (音 kūs'tō-dī). ⁸ 鎗刺 (音 bā'ō-nèt).

Q—Did he try to resist arrest?

A—No.

Q—Then he did nothing more than attempt to pass through?

Assessor:—You said three people tried to get through?

A—He had either two or three companions¹ and when the volunteers told them they could not pass, they retired.² I do not think this man was inciting the crowd.³ It was simply that his language was so loud that they were coming to hear what he was saying.

Q—Did anybody speak Chinese there?

A—No, there was no foreigner except myself and the picket⁴ of two men.

Assessor:—Was it possible that his attitude was caused by the fact that he could not understand what he was being told?⁵

A—The road was absolutely empty and he must have understood he was not allowed to pass. It may have been that he was angry because he was not allowed to pass.

(This concluded the evidence of this witness).

¹ 同伴. ² 退後 (音 *rè-t'ir'd*). ³ 激動羣衆. ⁴ 防卒. ⁵ 是否因言語不通, 致有此種態度.

**Evidence of Troopers Sub-Inspector¹ Charles
Edward Beale, Municipal Police.**

Question—Where were you in the forenoon of June 1?

Answer—About 10 a.m. I was 10 yards east of the Chekiang Road corner.

Q—What were you in?

A—A hired motor car belonging to the Universal Garage.²

Q—What kind of car?

A—I think it was a Ford, I could not be sure.

Q—Did anything happen?

A—When we got to this point east of the crossing,³ we met a large crowd and had to stop. The car was surrounded by the crowd who tore the back of the hood right off.⁴ They tore it into ribbons.⁵ The spare Stepney wheel⁶ was taken off and thrown at me in the car. The chauffeur was assaulted.⁷ Somebody struck him on the ear. I received several blows on the back. Some of the members of the crowd were endeavouring to steal my baggage out of the car.⁸ At that moment, a man in the Police Reserve⁹ whose name I do not

¹ 馬差副捕頭。 ² 租來之汽車。 ³ 十字路口。 ⁴ 將汽車之皮篷拉脫。 ⁵ 撕得粉碎。 ⁶ 汽車後面備急用之橡皮輪胎。 ⁷ 汽車夫亦被毆打。 ⁸ 羣衆中有人欲將我行李竊去。 ⁹ 後備巡捕。

know, came up and cleared the crowd away with a drawn pistol.¹

Q—You were returning from long leave?²

A—Yes.

Q—The car then went back to the Central Station?³

A—Yes, and from there back to the garage⁴ after the damage had been reported.⁵

Cross-examined by Mr. Kiang:—

Q—You say some Chinese attacked the car and tried to tear off the cover.⁶ Can you see anybody here who did it?

A—I could recognise⁷ nobody in the crowd who did it.

Magistrate:—Where is the motor car?

A—It belongs to the Universal Garage. It was hired by me to go from the dock home.⁸

Q—Is the car here in Court?

A—No.

(This concluded the evidence of this witness).

¹ 拔出手鎗，將羣衆驅散。 ² 長假期。 ³ 總巡捕房。 ⁴ 汽車行 (音 gā-rāzh'). ⁵ 先將所受之損失報告捕房。 ⁶ 有人攻擊汽車，欲將皮篷揭去。 ⁷ 辨認 (音 rēk'ōg-nīz). ⁸ 由我租來，欲從碼頭返家。

**Evidence of Mr. Maurice Oswald Springfield,
Assistant Commissioner,¹ S. M. P.**

Question—Were you present on June 1 when the rioting took place?

Answer—I was.

Q—Tell us what you know about it.

A—Early in the morning, I was sent by the Commissioner on a round of the various stations.² I came in from the west on Bubbling Well Road and called in at Louza Station. East of Louza Station, I saw a big crowd and I learned from several members of the Force that things were rather serious at the corner of Chekiang and Hupeh Road.

Q—Have you got a plan³ there?

A—Yes. (Plan produced).⁴

Q—Tell us what you did.

A—I telephoned the Commissioner, informing him of the situation, and suggested that a fire-engine should be sent to that corner.

Q—Was that done?

A—Yes, subsequently.⁵ I took some Specials⁶ up to the Thibet and Nanking Road corner and

¹ 副總巡. ² 總巡命我巡察各捕房. ³ 地圖. ⁴ 將地圖交出. ⁵ 後來 (音 sūb'sè-kwent-ly). ⁶ 特別巡捕.

had all the east-bound traffic diverted.¹ I then went down to the Chekiang, Hupeh, Nanking Road corner just as the fire-engine arrived. The fire brigade coupled on to hydrant² "555" and the crowd threatened the firemen.³ Water was turned on and I went up Hupeh Road with a fireman. At first the crowd gave way⁴ for a time but later they came on and attacked us with cobble-stones and setts out of the tram-lines.⁵ The fireman and myself were both struck. We then pulled the hose back and took position behind a tram-wire support-pole.⁶ The bombardment with stones was very heavy at the time.⁷ A number of bricks and stones struck the post we were standing behind and also smashed all the lamps from a big advertising lamp on the verendah just above our heads.⁸ These were all smashed. The fireman then got a brick right in his eye and collapsed,⁹ so then I took on the hose.

Q—Chinese fireman?

A—Yes. The crowd closed right in on us¹⁰ and the leaders were only 20 to 25 feet away from us. The rest of the crowd was backing them up¹¹ about 5 or 6 yards behind the leaders. From what

¹ 阻止車輛向東行駛。 ² 救火員將皮帶接於龍頭上。 ³ 羣衆欲攻擊救火員。 ⁴ 後退。 ⁵ 以大石子及電車路軌兩旁之方石向我等亂擲。 ⁶ 躲在電車桿後面。 ⁷ 其時石子紛飛。 ⁸ 在我們上面洋臺上所裝之廣告電燈亦被擊碎。 ⁹ 救火員被人擊中眼部，遂暈倒於地。 ¹⁰ 將我們包圍。 ¹¹ 幫助他們。

I could see of it, they were then trying to cut us off.¹

Q—Was there anyone else there besides yourself and the injured fireman?

A—No, not up there.

Q—Where were the nearest Police?

A—I was so intent on keeping the hose going that I could not say.² Then firing took place away on my right.

Q—Do you know where?

A—I looked round and there seemed to be a line of Police on my right. The crowd broke at that time and I went and lifted the wounded into the ambulance³ which came a short time afterwards.

Q—I think you have had considerable experience in the Police?

A—19 years.

Q—In your opinion, if there had been no firing, what would have happened?

A—The fire-engine would have been smashed to pieces and we should have been cut off.⁴ I do not know if we should have come out alive.⁵

¹ 欲將我們圍困，使與其他巡捕隔絕。 ² 因我全神貫注於皮帶龍頭，故不知共有巡捕幾人。 ³ 病車，救護車。 ⁴ 我們必受圍困。 ⁵ 或被羣衆打死亦未可知。

Assessor:—You did not actually arrest any of these people?

A—No.

(This concluded the evidence of Mr. Springfield.)

S. I. McGilliveray recalled, pointed out to the Court on the plan produced by Mr. Springfield, the spot where he was standing with his squad¹ of Sikhs and Chinese when the firing took place.

Q—Did you order them to fire?

A—I did.

Q—You heard Mr. Springfield giving evidence?

A—Yes.

Q—What do you think would have happened if you had not fired?

A—As I have already stated, I think the fire-engine and everybody else in the corner and myself would have been surrounded and killed.

Q—Did you see Nanking Road after this riot?

(Witness here identified² two photographs produced by Mr. Maitland, taken of the vicinity³ where the firing took place, just afterwards.)

(This concluded S. I. McGilliveray's evidence.)

¹ 一小隊. ² 認明 (音 idēn'ī-fī). ³ 近處 (音 vī-sin'ī-ty).

**Evidence of Private¹ William John Ferguson,
Shanghai Volunteer Corps.²**

Question—Did you arrest the 6th accused?

Answer—Yes.

Q—When was that?

A—About 2 P.M.

Q—Did he resist?³

A—I had to tell him three times.....

Q—What did he do after the third time?

A—I told him to go back and he gave me a push and swore at me in Chinese⁴

Q—Did you understand it?

A—Yes.

Q—Did you arrest him then?

A—I did not. I took no notice. He went into an alleyway⁵ and said that if I followed him he would kill me.

Q—Did you go into the alleyway?

A—I chased⁶ him a few yards; he ran. Then he came out again and challenged me⁷ a second time. He had got a crowd by this time and I got assistance and ran after him and captured⁸ him.

¹ 小兵. ² 上海萬國商團. ³ 抗拒. ⁴ 操華語罵我. ⁵ 小巷. ⁶ 追逐.

⁷ 向我挑戰. ⁸ 拘捕.

Cross-examined by Mr. Kaing:—

Q—Did he offer any resistance?¹

A—Yes, he struggled.

Q—You know Chinese quite well. How long have you been here?

A—About 12 years.

Q—Then you must understand that the words quoted are common language used by the low classes?²

A—Yes, that is why I took no notice.

Q—You said “If you come I will kill you?”

A—No, he did.

Q—Did he beat you.

A—No.

Q—Did he cause you any injury?

A—No.

Q—Simply words?

A—Yes.

Assessor:—Did you speak to him in English or Chinese?

A—Both. He began to speak to me in Chinese. I replied in English. The second time

¹ 曾否抵抗。 ² 下等人常用之語。

I spoke in English and the third time I spoke in Chinese.

Q—Did you tell him why he could not go along Nanking Road?

A—I told him these were my orders.¹ I did not know the reason myself.

(This concluded the evidence of Private Ferguson).

1st Accused's Evidence:—

My name is Tsang Zai Ching,² aged 24, native of Ningpo. I was formerly a boy³ but now conduct my own business.⁴

Q—You were arrested on June 1 on Nanking Road?

A—Yes, about 10 o'clock.

Q—What were you doing?

A—On that day I left my home at the West Gate and took a No. 5 tram-car and alighted⁵ from it at the corner of Chekiang and Nanking Road. I wanted to go to Szechuen Road to see a friend. I could not get a tram, so I walked along until I saw a foreign policeman. I wanted to go

¹ 此係上官之命令。 ² 張瑞卿。 ³ 侍者。 ⁴ 現在自己營業。 ⁵ 下車。

to the other side of road, and when I crossed, the foreign policeman pointed his pistol towards me.¹ I thought it was very dangerous and I returned to the side of the road. I saw a motor car stopping there and I went round the back of the car and got on to the pavement.²

Q—Did you have any intention to stop the traffic?³

A—No.

Q—Did you ever tear the top off a motor car?⁴

A—No. Above me there is Heaven, and below me there is earth. In the midst there is my conscience.⁵ I just went to the back of the car and I was arrested on the pavement.

Q—You heard the testimony⁶ of the police saying you were trying to stop tram cars and that you attacked a motor car. Do you deny⁷ that?

A—With what they say I have nothing to do. I simply speak the truth according to my own conscience.

¹ 舉手鎗向我。 ² 階沿 ³ 阻止車輛。 ⁴ 將汽車皮篷撕去。 ⁵ 天地良心。

⁶ 證言, 供詞。 ⁷ 否認。

Mr. Maitland:—Two people saw you tearing the hood¹ off the motor car and trying to stop the trams.

A—No. I did not tear the hood of the car. Across the street a man was pointing a pistol at me.

Q—I put it to you,² no pistol was drawn until after you were arrested.

A—The pistol was pointed at me and I thought I could not walk there.

Q—What were you doing to be arrested?

A—I do not know. As soon as I got to the pavement I was arrested and I do not know what for.

Q—Did you ask?

A—He did not say, he took me away without telling me.

Q—Did you ask him?

A—I did not.

Q—Did you not want to know why you were arrested?

A—They did not want to talk any reason with me. The policeman used the handle of his pistol and hit me on the head.³

¹ 汽車頂。 ² 我鄭重的問你。 ³ 用鎗柄打我的頭。

Q—There was a big crowd there?

A—Yes

Assessor:—He said he saw this motor car?

A—Yes, the motor car was standing still. I went round the back of it to the pavement.

Q—Did he see a lot of people standing around it?

A—When I came to the pavement there was nobody there. They had all gone.

Q—The motor car was just standing by itself in the road?

A—I did not see any person.

Q—He did not see any damage¹ done to the car?

A—I did not see any. The crowd was so big I had to take care of myself.

Q—Tell him to tell the truth. The Police might have made a mistake and arrested the wrong man, but he cannot say he did not see the crowd, did not see any damage done to the car, or did not see anything at all.

A—When I was passing the back of the car, really I did not see any person surrounding it.

Q—Did he try to cross the road twice, in spite of the fact that he saw the policeman

¹ 損壞 (音 dām'áj).

pointing his pistol at him, did he not think it was high time for him to get out of the way?¹

A—At that time, yes, I intended to get back to the pavement and go along to Szechuen Road.

Q—Did you think it was important enough to risk your life² after having a pistol pointed at you?

A—When I thought walking in the road might be dangerous, I went to the pavement.

Q—Did he try it two times, and then go round the back of the car?

A—He did not go back to the pavement twice, he went round the car.

Q—Does he not realize that it is a very dangerous situation³ when he sees a foreigner pointing a pistol at him?

A—I thought I might not be permitted to go in front of the motor car, but that I would not be prohibited⁴ if I went round the back of the car.

Assessor:—His story does not sound very plausible,⁵ because any sensible man,⁶ seeing all that trouble going on, and the policeman holding a pistol at him when he is crossing the street,

¹ 當時是否知道應當速即避開。 ² 以生命爲嘗試。 ³ 是否知道非常危險。

⁴ 禁止。 ⁵ 被告之供詞似不很確。 ⁶ 明白事理之人。

will realize that the trouble is very serious¹ and will not try to go across a second time, that is, any man who is trying to get out of trouble.² When an officer of the law waves a revolver at him³ and he knows all the trouble is going on, he will certainly go back and try to get out of the trouble. He won't try to get into it a second time. When I was in Peking 9 years ago, during the 1917 trouble, I used to go to the public park⁴ and, one afternoon, suddenly there was a soldier who stamped his gun down.⁵ I never asked any questions of him. I went back. When he said "Go back," I went back. I did not argue⁶ with him. Tell him I want him to let that sink in,⁷ because I do not believe his story. He would not have tried to cross the street a second time if he had not been looking for trouble.

Accused, re-examined by Mr. Kiang:—

Q—Was there a big crowd in the street?

A—At that time the southern part of Nanking Road was filled with people. On the north side there were not so many. When I saw the pistol I could not get back to the south side, therefore I went round the back of the car.

¹ 應當知道此時若再滋事，必遭危險。 ² 不喜滋事之人。 ³ 巡捕舉鎗相向。 ⁴ 公園。 ⁵ 將鎗擲下。 ⁶ 辯論。 ⁷ 須切記此言。

Q—When you turned to the side and went round the back of the car, were you warned¹ by the Police?

A—No, they did not stop me.

(Court here adjourned for tiffin.²)

**Evidence of Yue Cha Ming,³ 2nd
accused, cook, aged 23**

Question—Were you arrested by the Police at 10.30 a.m. on June 1?

Answer—Yes, at that time a bundle of straw⁴ carried by me dropped on the ground and was picked up by others and I was trying to collect it when I was arrested. I was going along Nanking Road and had called a wheelbarrow man⁵ to carry the straw. At the time I came to the spot⁶ lots of people came from all directions and wanted to pick up the straw, but I told them “No, no; that is mine. It was ordered by my master⁷ and cost \$2. At that time the wheelbarrow coolie absconded⁸ and I was arrested and was struck by the policeman twice.

Q—Is it the duty of the cook to buy straw?⁹

A—Yes.

¹ 警告. ² 退庭午餐. ³ 俞加明. ⁴ 一捆稻草. ⁵ 小車夫. ⁶ 我到場之時. ⁷ 由東家買來的. ⁸ 小車夫已逃去. ⁹ 買稻柴是否廚司分內之事.

Q—Did you have anything in your pocket?

A—Not a single cash.

Q—Did you have a match?

A—No, I do not smoke.

Q—Can you identify anyone who struck you?¹

A—A sergeant dressed in ordinary clothes.²

Cross-examined by Mr. Maitland:—

Q—You work in the shop just opposite?

A—I work in a shop on Kiukiang Road called the San Tah Hotel.³

Q—Was there not a trail of straw from the shop just opposite on to the tram lines?⁴

A—The straw was being carried across the road and it was not bound sufficiently⁵ by the wheelbarrow coolie.

Q—There were bundles of straw on each side of the tram lines?

A—Other people threw them aside and I went to collect them.

Q—But you were putting it on the line yourself?

A—No, I bought it myself to cook rice with.

¹ 能否指出打你的人。 ² 便衣巡捕。 ³ 三泰客棧。 ⁴ 由對面店門至電車路軌，一路是否有稻柴落下。 ⁵ 未曾紮緊。

Assessor:—Is this place where he works near where this took place?

A—Not very far away.

Q—Where did he buy the straw?

A—Louza Bridge.

Q—Why did he go along Nanking Road?

A—That was the easy way. I was crossing the corner of Nanking and Fokien Road when the bundles dropped to the ground and I was arrested.

Q—That is the straightest way to your place?

A—Yes.

Q—Why did it become loose right on the tram lines?¹

A—At that time several thousand people were gathered there. The wheelbarrow went amongst them and it became loose there, and the bystanders picked it up and threw it in all directions. I began to collect it, and when the foreign police came the crowd ran away and I was the only one left to pick it up.

Magistrate:—Where did he purchase the straw?

A—From a boat, and my master is still holding me responsible for \$2.²

¹ 何以恰巧在電車路上落下。 ² 東家仍要我賠兩元。

In answer to the Assessor, accused said there was no one from the shop in Court. His master did not know he was arrested.

Maybe he suspected that witness had got the \$2 and had absconded.¹

Assessor:—It seems to me that if he is telling the truth his master would come forward and help to get him out. He has been arrested for a number of days.

A—He does not know.

Q—Has he a family in Shanghai?

A—I have no family here and this is the first time I went to the Station. I only get \$4 a month as wages² and have no means to make friends.³

(This concluded the evidence of this witness).

**Evidence of 4th accused Sung Ping Hung,⁴
aged 20, ricscha hong owner⁵**

Question—When were you arrested?

Answer—A little after 10 o'clock, June 1. I was ordered by my mother to go out to collect license fees.⁶ I took a tram car from Chaoufoong Road

¹ 或者疑被告携洋二元逃去。 ² 每月工洋四元。 ³ 無錢結交朋友。 ⁴ 陳炳恒。 ⁵ 黃包車行。 ⁶ 收照會費。

and went to the corner of Chekaing and Nanking Road. There were many people there. Someone touched my shoe and it got loose.¹ I bent down to fix it,² and the crowd came from behind and I was pushed and fell down to the ground. Then, a policeman came and arrested me, and said I had been lying in front of the tram car.

Q—Did you intentionally³ lie on the tram line in order to stop the tram car?

Q—Are you a fool, don't you take care of your life?

Magistrate:—How long have you carried on the ricscha business?

A—More than 20 years. This old gentleman (S.I.Lavelle indicated) knows me very well. We have ricschas.

Q—Is your family here in Shanghai?

A—Yes, my mother.

Q—Do you carry on your business in a proper manner?

A—Yes.

Q—Have you ever gone to the Police Station?

A—No, for some license trouble,⁴ I have gone, yes.

¹ 鞋子被人踏脫. ² 俯身着鞋. ³ 故意. ⁴ 因照會之糾葛.

Assessor:—Are you sure you did not go to Nanking Road in order to create a disturbance?¹

A—No, never, I am not a fool.

Assessor to S.I.Lavells: Do you know him?

S.I.Lavelle:—Yes, he is a ricscha man.

(This concluded the evidence of this witness).

**Evidence of 6th accused, Woo Pau
Kung,² aged 33, brass smith**

Question—You are accused with having, on June 1, opposed the orders of the Police, by wanting to go along Nanking Road, by speaking bad language and by saying you wanted to kill them. Why?

Answer—I was standing at the corner of Chekiang and Nanking Road, intending to take a No. 7 tram car to the east. I could not get one, so I walked eastward to get one at the corner of Fokien and Nanking Road. When walking in front of the Post Office, I saw a Japanese Policeman who struck my hat off and it fell on the ground. Before saying anything, I wanted to pick my hat up, but he refused to allow me to do so, and arrested me and took me to the Station.

¹ 滋事. ² 胡寶根。

At the corner of Nanking and Chekiang Road, others took their feet to kick me.¹ When I came here last time the marks were still there but they have now disappeared.² I was struck with clubs.³

Mr. Maitland:—Why did you not show the marks when you came here last time?

A—Because, when I came forward, I was told to get out of the box.⁴

Q—You used bad language to the foreigner?

A—No, I did not swear at him.⁵ He arrested me, how could I swear at him. I am afraid of him.

Q—He told you to go away 3 times?

A—No.

Q—What were you arrested for?

A—I do not know why he arrested me.

Q—You went away quite peaceably when you were told to?

A—He took hold of me and took me to the Station.

Q—You would not go?

A—When he told me to stop, I stopped. He did not tell me where to go to.

¹ 舉足踢我。 ² 上次到堂時尚有泥痕，現已消滅。 ³ 被木棍擊打。 ⁴ 我站入證欄即被人喝令退出。 ⁵ 我並未罵人。

Q—You went into an alleyway¹ and came back again?

A—I did not go into an alleyway. I was arrested at the entrance.²

Assessor:—He is a brass smith; I would like to know what he was doing at this time of the day on Nanking Road. Why was he not at work?

A—I was called by a friend of mine to go to the Commercial Press to repair a certain engine. After I finished, I left that place at Paoshan Road. I tried to get a No. 7 car, but I could not get one until I came to the bridge on Chekiang Road. Still I could not get one and then I came to the corner of Nanking and Chekiang Road.

Q—Was it your idea to walk along the street to save money?

A—I have two reasons, one was to save money and the second that the car might be there.

Assessor:—Did he not see that Nanking Road was deserted at that time,³ and think it strange?

A—I could not understand the reason why. I went to Fokien Road to take the tram, and on the way, I was arrested.

(This concluded the evidence of this witness).

¹ 小巷. ² 街口. ³ 其時南京路上已無行人.

Evidence of the 3rd accused, Sung Dung Tsoong,¹ aged 30. teacher in the Shanghai Cotton Mill

(Questioned by Mr. Okamoto)²

Question—Will you explain to the Court your movements on June 1, when you were arrested?

Answer—At 7 a.m. I took a tram car to the mill. I arrived about 7.30. I signed the book³ at 7.40. I had some conversation with the manager of the mill.⁴ At that time there was a strike at Yangtszepoo⁵ and I was requested by the manager to go to Nanking Road and enquire about what was happening there. I got a tram car and first went home, then I got a No. 8 tram car to the Bund, and changed into a No. 7 car and was proceeding to Shanse Road. It could not go ahead after Shanse Road, so I got down from it. I proceeded on foot⁶ to Fokien Road, where there was a great number of people rushing against me, and also many policemen, armed.⁷ I did not know what was happening. My hat dropped off and I bent down in order to pick it up, but somebody had kicked it away. When I

¹ 沈定忠。 ² 岡本律師。 ³ 在紗廠內簽名報到。 ⁴ 紗廠經理。 ⁵ 在楊樹浦有罷工之事。 ⁶ 步行。 ⁷ 武裝的。

started to return, I was arrested by a foreign policeman. I did not know what was the matter.

Q—What sort of a hat were you wearing that morning?

A—A straw hat.

Q—It is alleged¹ that you threw a large stone at the policeman.

A—I never threw any stone. How could I throw a stone?

Q—Did you retreat to an alleyway² on Nanking Road?

A—I was at the entrance to the alleyway at the Post Office. I did not enter it.

Q—Were you in front of the crowd?

A—No, it was not so, because, when I was going along, many people from Chekiang Road rushed towards me and I dropped my hat and bent down to pick it up.

Q—Were other people arrested at the same time?

A—No.

Cross-examined by Mr. Maitland:—

Q—If you were not in front of the crowd, why should the Police pick you out from among the crowd?

¹ 有人說。 ² 退入街內。

A—Many people were rushing at my back when I was trying to get my hat, so that I was left in front of the crowd.

Q—Did you see any people throwing stones?

A—I do not know, because I did not care about such a matter as I had something to do myself.

Q—Was it possible to see any stones lying on the ground?

A—I did not see any. It was a concrete pavement¹ around Nanking Road, so it would be impossible to find stones.

Q—It is alleged that you used bad language² and threatened to kill the Police?³

A—No, I did not.

Q—In English?

A—I have been a teacher all the time so I never abuse⁴ anybody.

Mr. Maitland:—What do you say you were doing in this alleyway?

A—I got down from the tram car on the business of the cotton mill and had just got to the place where my hat dropped off. I was picking it up.

¹ 水門汀之步道。 ² 罵人。 ³ 聲音欲將巡捕打死。 ⁴ 辱罵 (音 á-büz').

Q—Have you ever seen the two foreigners who arrested you before?

A—I did not pay any attention.¹ I was trying to pick up my hat.

Q—That is no reason for arresting you.

A—I do not know why I was arrested.

Q—Are you sure you did not pick up a stone?

A—Why should I pick up a stone? My hat had been lost.

Q—You talk English, don't you?

A—I have learnt it, but I cannot speak it very well.

Q—You can say "I will kill you" in English?

A—No, I cannot say that.

Q—What do you teach at the school?

A—I teach Chinese and arithmetic.² I was a teacher of mathematics in Kiangse School.

Q—Do you teach English?

A—No.

Mr. Okamoto said he had a representative from the mill to give evidence as to the accused's character,³ but the Court decided that was not necessary.

¹ 不注意。 ² 教授國文及數學。 ³ 證明被告之品行。

**Evidence of Yue Tung Nyi,¹ 5th accused,
aged 19, shop assistant, Chang Kaung
Hong, No. 519, Yui Shun Li.
off Nanking Road**

(Questioned by Dr. Fischer)

Question—Do you remember the morning of June 1?

Answer—Yes, I was ordered by Mr. Tan of our hong to go to Nyan Fun Loong to get something. I left the shop about 10.15. I was told to collect some big parcels.² On arrival at the entrance of the alleyway, I saw a crowd of people there and some girl-students threw a bundle of pamphlets³ on the ground and I picked it up.

Q—How many did you pick up?

A—A bundle of them, I do not know how many.

Q—Why did you pick them up?

A—Because I did not know what the matter was. I wanted to read them.

Q—What happened afterwards?

A—A moment after that the foreign police came.

¹ 余德義. ² 包件. ³ 傳單一束.

Q—You were locked up at the Station?

A—I did not see the Police coming, so I was arrested.

Cross-examined by Mr. Maitland:—

Q—Why did you pick up the whole bundle of pamphlets?

A—Because they were all in one bundle.

Q—Did you start giving them away to anybody?

A—No, I did not distribute¹ any.

Q—What were you going to do with them?

A—I took them up for curiosity² to see what it was about.

Q—There was a big crowd in the street at the time?

A—Yes, a lot of people

Q—You could see there was a disturbance³ going on?

A—I did not hear any.

Q—Quite sure you were not going to distribute them?

A—Yes, quite sure.

Q—Why did you want to pick up 40?

A—I did not count them. I did not know how many there were.

¹ 散發. ² 因好奇心 ³ 擾亂.

Q—Why did you pick up such a lot?

A—They were all in one bundle.

Q—One would have been enough

A—Because there was one bundle.

✱

**Evidence of Tan Hyi Ts,¹ submanager
of the Chang Kaung Hong**

Question—Do you remember what happened on the morning of June 1?

Answer—Yes, I know.

Q—Will you tell the Court?

A—About 10.15 I sent the boy (5th accused) to another hong to collect parcels.

Magistrate:—How long has he been in your shop?

A—3 years.

Q—Is he a Bolshevik² or peaceful?

A—Peaceful.

Q—Can he read?

A—He can read a little.

¹ 蔡熙之. ² 喜滋事之人.

**Evidence of Tsang Yoong Yue,¹ 6th accused,
aged 30, cotton merchant**

(Questioned by Dr. D. S. Chen)

Question—You were arrested on June 1.

Answer—I came back on June 1 from Nanwei.²
I was just crossing the Nanking Road. I was
arrested by a special constable.³

Q—Do you know that that was a violation
of the regulations⁴ of the time?

A—I did not know any such regulation, be-
cause I had just come back from Nanwei that day.

Q—Did you make any loud shouting?

A—No, I did not.

Q—Was there a large crowd there?

A—The crowd was not very big.

(This concluded the evidence)

Mr. Kiang, addressing the Court on behalf of
the 1st, 2nd, 4th and 6th accused, said it was quite
plain that these defendants had proper business to
do, and were arrested by mistake. In regard to
the 1st accused he would like to say a few words:
The charge against him was two-fold,⁵ one of lying
on the tram line with the intention of stopping a
tramcar,⁶ and the other doing damage to a motor
car.⁷

¹ 張永綏. ² 南匯縣. ³ 特別巡捕. ⁴ 違犯章程. ⁵ 控告理由可分兩端.

⁶ 意欲阻住電車. ⁷ 損壞汽車.

In regard to lying on the tramline, it was quite plain at that time that on account of the crowd—and this was admitted by witnesses for the prosecution¹—that it was very hard for anybody to get away from in front of the tram cars. So he would now devote himself to the question of the damage to the motor car.² In regard to the testimony of the three witnesses for the prosecution, their testimony, he submitted,³ was conflicting.⁴ The first witness said that accused tore off pieces of leather from the top of the car, and did not see anybody striking the chauffeur,⁵ and that the only man in the car was the chauffeur. The second witness said that the accused did some damage at the side of the car and also said that there were two persons in the car. Afterwards Mr. Beale came to testify and said the only damage was to the rear of the car.⁶ He did not mention anything about the side of the car. He did not mean that they were telling lies, he should say they were telling the truth, but there was such a big crowd, and everybody was in such a hurry, that they had different observations of what happened.⁷ Therefore, most probably, this accused was arrested by mistake.

¹ 原告方面之證人。 ² 現在專論損壞汽車之問題。 ³ 勸堂上注意。 ⁴ 供詞矛盾。 ⁵ 汽車夫。 ⁶ 祇損壞車汽之後部。 ⁷ 各人之觀察不同。

With regard to another of the accused, the Court had said that no sensible person would go forward in the direction of a policeman who was waving a pistol, but, in the meantime, it must be remembered that there was a big crowd behind, and, and a sensible person would not stand still while a pistol was being projected at him.¹ This accused, when he saw the motor car standing by the side of the policeman, naturally he went round it to the pavement. Therefore, if the Court thought this was correct, this would be an answer to the Court's ruling on that point.² With regard to the others, he had nothing to say except that they had been locked in the cells for 10 days.³ He thought they were quite innocent⁴ and the charges against them should be dismissed.⁵

Mr. Okamoto⁶ said he had just a few remarks. At times of such rush⁷ and with such a big crowd, it was quite possible for the Police to make mistakes in arresting people. There were hundreds of people all shouting and creating disturbances,⁸ and the attention of the Police was attracted by many things.⁹ Generally speaking, the real culprits were smart enough to get away before being arrested

¹ 舉鎗相向。 ² 公堂對於此點所下之斷語。 ³ 拘禁已有十天之久。 ⁴ 無罪。 ⁵ 應將本案註銷。 ⁶ 岡本律師。 ⁷ 急忙之時。 ⁸ 吵鬧。 ⁹ 人多口雜，逮捕之注意力已渙散。

and only the comparatively innocent people remained behind to be arrested.¹ The recent disturbance was serious,² but judging from the evidence, all the people arrested had been taking rather minor parts and no real culprits had appeared.³ It was quite natural that the people who designed such disturbances should clear out at the very beginning.⁴ A man who was throwing stones would, naturally, run away as soon as possible. The evidence might be quite true, but there might be some mistake, so he asked the Court to dismiss his client.⁵

Dr. Fischer said he only desired to raise a legal point.⁶ His client was charged under article 154 and section 11B of the Publication Laws.⁷ As far as the first charge was concerned, that of rioting, the Police had not attempted to prove this charge against his client.⁸ In order to obtain a conviction,⁹ the Police had to prove that he assembled with others and intended to commit violence.¹⁰ The Court had heard the evidence for the prosecution,¹¹ according to which this accused in an alleyway off the Nanking Road. He had just

¹ 真正的罪犯早已免脫，祇有無罪之人，尙未散去，遂被拘捕。 ² 擾亂之事，確是十分嚴重。 ³ 但就證據觀之，則諸被告均無重大之過失，並無真正之罪犯在內。 ⁴ 蓄意滋擾者，早已逃去，此亦事理之常。 ⁵ 將敝當事人釋放。 ⁶ 提出一法律上的論點。 ⁷ 出獄法。 ⁸ 捕房並未證明該被告有擾亂之行爲。 ⁹ 判決有罪。 ¹⁰ 須證明有集會之行爲，及暴動之意思。 ¹¹ 原告方面之證據。

come out from his hong to this alleyway. With reference to the second charge before the Court, a charge now being preferred rather frequently,¹ he submitted that even if the Court should hold that this man had distributed pamphlets,² he could not be charged under Section 11 of the Publication Laws, which expressly stated that they only referred to the author, publisher, or printer. If the North China Daily News printed any such article, and sent out coolies to distribute them, the coolies could not be prosecuted.³ That was obvious.⁴ His remarks based on the English translation. He did not want to attack the credibility of the witnesses in any way,⁵ especially his colleague,⁶ Mr. Mancel Reece, but his client certainly did not look like an agitator,⁷ demonstrator⁸ or Bolshevik.⁹

Dr. D.S. Chen¹⁰ said that the charge against his client was that of throwing straw on the tram lines. According to the testimony given by the witnesses his client was arrested by two S.V.C. men,¹¹ but

¹ 近來捕房常將此項控告理由提出。 ² 縱使公堂認為該被告有散發傳單之行爲。 ³ 倘然字林西報刊印此種論說，遣苦力出外散發，則當然不能將苦力控訴。 ⁴ 此種理由甚爲明顯。 ⁵ 並不欲責問證人之是否誠實。 ⁶ 同事。 ⁷ 擾亂者。 ⁸ 示威者。 ⁹ 過激黨。 ¹⁰ 陳靈銳律師。 ¹¹ 被萬國商團之團員逮捕。

these two men had not appeared in Court, and the only evidence of his arrest was given by a Special Constable, therefore all the evidence given by witness was purely hearsay.¹ With regard to the second man, the defendant testified that he came from Nanwei that day, and did not know there was any trouble in Shanghai. As no previous notice had been given to the public,² he was certainly ignorant of the traffic regulation³ about Nanking Road that day. The third charge was that of loud shouting in the street. Witnesses for the prosecution had said that the shouting was in Chinese and they did not understand what was shouted. It had also been said that there were about 200 people on the street. With such a crowd, there would be a great noise on the street, therefore it was very doubtful whether the accused shouted or not. He, therefore, moved that the case be dismissed.⁴

Mr. Maitland said that as regarded the first case, the Court would remember the evidence that P.C.C. Bebenin arrested the accused when he actually had hold of the motor car.⁵ In fact he had to pull him away from the motor car. There could

¹ 間接的傳聞。 ² 事前並無告示。 ³ 不知交通之章程。 ⁴ 請堂上將本案註銷。 ⁵ 確是於動手時拘捕。

be no possible question of mistaken identity.¹ With regard to the man with the straw, he would say no more. The Court had heard the evidence.

With regard to the third man, there could be no doubt about his identity. He was dressed in foreign clothes and his appearance was very different from any of the others, while two witnesses distinctly said that they saw him pick up a stone and throw it. He then challenged them to come into the alleyway² to be killed and they went in and arrested him straight away.

As regarded Dr. Fischer's client, if he distributed pamphlets he was aiding and abetting the publication of the pamphlets³ and was equally guilty.⁴ Any person who aided and abetted was equally guilty and could be charged as a principal.⁵ There was no doubt he was amongst all these rioters when the trouble was going on, and if people like him would get mixed up in these troubles then they would have to take the consequences.⁶ The best thing for innocent people was to keep away.⁷

¹ 確係本人，並無錯誤。 ² 向他們挑撥，要他們走進弄內。 ³ 幫助發行傳單。 ⁴ 同樣有罪。 ⁵ 可作主犯論罪。 ⁶ 既欲加入此種擾亂之事，則罪有應得。 ⁷ 無罪之人，應當避開。

Decision

Nos. 2 and 4 dismissed.

No. 1 two weeks from date of arrest or \$20.

No. 5 required to sign a personal bond to keep the peace.¹

No. 3 two weeks from date of arrest or \$20.

Nos. 6 and 7—both accused required to sign a personal bond to keep the peace.

EXHIBIT

Report Re² Cases Brought to Shangtung Road Hospital from the Riots in Louza District, May 30 & June 1

On the afternoon of May 30, twenty youths and men were brought into this hospital having been shot or injured in the riot on Nanking Road.³ The patients⁴ were received by the Chinese doctor on duty and shortly came under the treatment of Doctors Muir, Cieh, Patrick and Liddell,⁵ who, with four of the resident Chinese doctors⁶ performed forthwith the necessary operations.⁷

Three of the wounded were past treatment⁸ and died almost immediately. One of these was

¹ 須具結。 ² —concerning 關涉。 ³ 在南京路擾亂時受傷。 ⁴ 病人。 ⁵ 後即由某某醫生等診治。 ⁶ 駐院之中國醫生。 ⁷ 使行必要的手術。 ⁸ 已不及治療。

shot through the chest¹ and one was shot through the abdomen.² The site of the injury³ of the third was not recorded.⁴

Of the eight upon whom immediate operation was necessary six have died. Of these five were shot through the chest or abdomen. One was shot through the upper arm.

Of the remaining nine, six have already left the hospital, while three who had their legs amputated⁵ are still under treatment.⁶

On the morning of June 1st, twenty more youths and men were brought in, injured and shot in the riot in Chekiang-Nanking Road. Of this number:

(1) Three only needed dressing⁷ and went home forthwith.⁸

(2) One, shot through the head, died forthwith.

(3) Four were operated on,⁹ three of whom have since died. One of these four was shot through the head, and three through the abdomen. One of the abdominal cases is doing well¹⁰ and is still under treatment.

¹ 洞穿胸部。 ² 腹部。 ³ 傷處。 ⁴ 並未記載。 ⁵ 割去大腿。 ⁶ 仍在院中診治。 ⁷ 醫治。 ⁸ 當即回家。 ⁹ 開割。 ¹⁰ 現在已有起色。

(4) Six have already left the Hospital, well or nearly well.

(5) Seven still remain in the wards¹ under treatment and are doing well. Three of these are bullet wounds on the arm and shoulder, and two of them are bullet wounds on the leg. No amputation has been necessary for these.

The Doctors who treated these various cases, viz. Doctors Muir, Patrick, Cieh, Liddell and Davenport, have expressed the opinion, as far as they have been able to judge, that all the patients who received penetrating bullet wounds² were struck by bullets which entered directly, or obliquely,³ from the front.

One case was an exception to this. He was certainly shot from behind, probably by a spent bullet⁴ as the damage done was very little, the bullet lodging just beneath the scapula bone.⁵

The cases were shot through the loin and pelvis from side to side.

Four cases who received only superficial skin wounds⁶ might have been shot either from the back or from the front.

TO SUM UP:—

¹ 病房. ² 鎗彈洞穿之傷口. ³ 斜 ⁴ 速率極小之鎗彈. ⁵ 鎗彈埋入左邊之肩胛骨. ⁶ 輕微傷.

(a) 1 Case was certainly hit by a bullet from the back.

(b) 2 Cases were shot through the body from side to side.

(c) 4 Cases might have been shot either from the back or from the front.

(d) 1 Case the nature of the wound was not noted.

(e) 5 Cases suffered from but slight bruises or injuries.

(f) 27 Cases, serious penetrating wounds,¹ the bullet entered as far as we were able to judge, either directly from the front or obliquely from the front.

(*Sgd*). CECIL J. DAVENPORT,

F. R. C. S.

Medical Superintendent.

Shantung Road Hospital.

June 11th, 1925.

¹ 洞穿之傷口。

THE END

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